ANNUAL REPORT

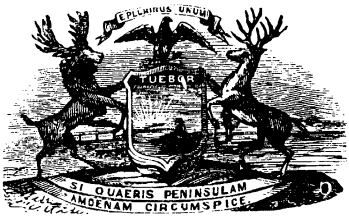
OF THE

ATTORNEY GENERAL

OF THE

STATE OF MICHIGAN,

FOR THE YEAR 1874.



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1874.

REPORT.

STATE OF MICHIGAN,
ATTORNEY GENERAL'S OFFICE,
Lansing, December 31st, 1874.

To Honorable JOHN J. BAGLEY, *Governor:*

I have the honor herewith to submit the Annual Report of this office commencing on October first, eighteen hundred and seventy-three and ending this day, including a period of fifteen months.

My predecessor, the Hon. Byron D. Ball, was Attorney General for the first six months of the period included by this Report; and, therefore, all the official business of the office embodied herein for that period will be understood to have been attended to and superintended by him.

CASES ARGUED AND SUBMITTED.

October Term, 1873.

At the October term of the Supreme Court for the year 1873, the case of *O'Brien vs. The People* on error from Bay Circuit was argued and submitted. O'Brien was convicted for keeping a house of ill-fame. The error assigned was upon the charge, whether the jury were not allowed to infer that the house rented by O'Brien was not only a house of ill-fame, but was also resorted to for the purpose of prostitution, when only one of these facts had been proved. The Court held that the word "resorted" implies "frequently visiting," and to hold that when "lewd persons" resort to such places no criminal offense is committed is absurd. The judgment of the court below was affirmed.

At the same term the case of the *People vs. Marion*, on error from the Recorder's Court of Detroit was argued and submitted. Marion was convicted of feloniously uttering and publishing as true a forged letter of attorney. The verdict was set aside and a new trial ordered for the reason that the proof did not correspond with the allegations in the information.

January Term, 1874.

At the January term of the Supreme Court for the year 1874 the case of *Lambert vs. the People* on error from the Recorder's Court of Detroit was argued and submitted. Lambert was informed against for robbery and convicted. The error was upon the sufficiency of the verification to the information, which was not objected to until after the jury were sworn. The court held that it was too late to make this objection after the jury were sworn, and affirmed the judgment.

At the same term, the case of *McDade vs. The People*, on error from Alpena Circuit was argued and submitted. The information charge McDade with soliciting one Beaney to set fire to a warehouse, but fail to show that Beaney did anything. The court held that to prove an attempt to burn a building the statute contemplates the use of some physical means, and cannot be satisfied without some act committed in person or through another reaching far enough to amount to the commencement of causation. The judgment and verdict were set aside and McDade discharged from further prosecution on the information filed against him, as it alleged no crime in law.

At the same term, the case of *People vs. Marion*, on error from the Recorder's Court of Detroit was argued and submitted, Marion was charged with the forgery of names attached to the certificate of acknowledgment of a certain power of attorney and convicted. The dispute turned upon the connection of a deed with the alleged forgery of this power of attorney. The court held that it was no error to show the relation existing between the handwriting in this power of attorney, and that in an accompanying deed, or that both were in the same handwriting and for fraudulent purposes. It was ordered that judgment be rendered on the verdict.

At the same term, the case of *People vs. Morrigan*, on exceptions from the Recorder's Court of Detroit, was argued and submitted. Morrigan was convicted for an alleged larceny upon the person of one Merrill. The principal objections were, to the admission of evidence, the latitude to cross-examination, the testimony of detectives as experts, leading questions, and what is *res gestæ* in criminal testimony.

The court held that upon cross-examination in a criminal trial, much latitude should be allowed such questions as would tend to throw light on the character and candor of the witness; that the testimony of detectives as to whether it is possible to commit a robbery in the manner charged, ought to be excluded because the jury are supposed to be able to judge and determine that fact; that to allow leading suggestions in any form is improper although the court should see that the prisoner is not cut off from having his attention called to such subjects as are pertinent, and that the conduct of one complaining of a crime is of importance in determining his honesty; and that statements made at that time, connected with the circumstances under which they are made are rather to be regarded as facts belonging to *res gestæ* than as mere hearsay. As there was error found in the admission of evidence, it was ordered that the conviction be set aside, and that a new trial be granted.

At the same term the case of *Van Sickle vs. The People*, on error from Washtenaw Circuit was argued and submitted. Van Sickle was informed against on six counts, for the forgery and uttering of three distinct instruments,—a mortgage, the certificate thereto, and a bond accompanying it, and convicted. The principal error assigned was the admission, as evidence, of a diary taken from and alleged to belong to Van Sickle, and containing writing which was used to identify the handwriting in the alleged forgeries, though there was no evidence that the writing in the diary was that of Van Sickle, or that he knew how to write. The court held this to be error, without proof that the diary was Van Sickle's, that he could write, and that he wrote the matter it contained; and that possession and ownership of such a document did not justify the charge that he was the author of other wholly disconnected writings. The judgment was reversed, a new trial ordered, and the prisoner remanded to the custody of the sheriff.

At the same time, the cases of *T. Hamilton* and *W. Hamilton vs. The People*, on error from Calhoun Circuit, were argued and submitted. The Hamiltons were prosecuted and convicted for attempting to burn a barn with intent to defraud an insurance company. As there were over a hundred assignments of error, and as the opinions are full and lengthy, it is hardly possible to enumerate any thing more than the questions of law discussed. They were: proper criminal examinations before a justice, legal holidays in justices' courts, ground for proceeding by information, and for motion to quash, misjoinder and rejection of counts in an information, circumstantial evidence, evidence as to mental impressions, impeachment of witnesses, privilege and impeachment of State's evidence, irresponsive and irrelevant testimony, criminal verdicts, doctrine of impeaching evidence, and judicial charges and presumptions in criminal cases.

The court finding error in the proceedings preliminary to joining issue, and in the admission and rejection of evidence, reversed the judgment, ordered a new trial, and remanded the accused to the sheriff's custody.

ASSESSMENT AND TAXATION OF RAILROAD LANDS.

Tucker et als. v. Ferguson et als.

The Legislature of 1873 passed an Act, entitled, "An Act to provide for the assessment and taxation of lands known as railroad lands."

By this Act it was provided that all lands known as railroad lands, situated in this State, which had before then been earned or obtained by any person, company, or corporation, by or for the construction of any railroad in this State, should be assessed and taxed in the same manner that all other lands are assessed and taxed; and also that all lands which should thereafter be so earned or obtained should be assessed in the same manner, when, and as soon as the certificate of the Governor was executed to the Secretary of the Interior showing that such person, company or corporation, was entitled to receive patents for such lands. *Laws 1873, p. 173.*

Under and in pursuance of this Act, lands earned and obtained by the Flint and Pere Marquette Railroad Company, and other railroad companies, to the number of several thousand acres, were listed for taxation. These lands were principally situated in the northern counties of the State.

The Flint and Pere Marquette Railroad Company, for the purpose of raising money to be used in the construction of its road, issued its corporate bonds, and to secure the payment of the same, in 1866, executed a mortgage to Charles R. Tucker of Massachusetts, and others, upon certain of the lands granted by Congress to the State of Michigan by act of July 3, 1856, to aid in the construction of a railroad from Flint, Michigan, to Pere Marquette, and afterwards by the Legislature granted and conferred upon said Company.

Upwards of ten thousand acres of these lands, thus granted to and mortgaged by said Company, situate in the county of Osceola, were by Nelson Ferguson and others, supervisors of said county, listed for assessment for the taxes of 1873, under the act already referred to. Afterwards, and during the year 1873, Charles R. Tucker and others, as such Trustees, filed their bill of complaint in the Circuit Court of the United States for the Western District of Michigan in Chancery, against said Ferguson and the other supervisors of said county of Osceola, referring therein to the act of Congress granting said lands to the State; to the act of February 14, 1857, accepting said grant, and

conferring the same upon said company; and to the several acts of the Legislature relating to said land grant, and claiming that by virtue of such legislation, the acceptance of said grant by said Company, and the construction of its road as therein stated; an irrevocable contract was made and existed between the State and said company, that the lands acquired by it under such grant, while they should remain unsold, should be held free from local taxation, and that the State of Michigan was prohibited by that clause of the Constitution of the United States prohibiting States from passing laws impairing the obligation of contracts, from passing any act authorizing the taxation of said lands. The complainants in their bill prayed the Court to decree that said lands were exempt from taxation for the year 1873; that the listing of such lands for taxation by the defendant Supervisors, in their respective townships, was unlawful and against the rights of complainants; that the defendants, and each of them, be perpetually enjoined and restrained from apportioning or extending any taxes for the year 1873, for State, county, township, or other purposes, upon or against any of said lands. The complainants also prayed for a preliminary injunction commanding the defendants, and each of them, absolutely to desist and refrain from returning their respective assessment rolls to the Board of Supervisors of said county, for equalization and apportionment, until they should have erased from their rolls all said lands; and also that they, and each of them, desist and refrain from apportioning or extending any tax whatever upon their rolls upon or against any of said lands.

Upon filing this bill a motion was made that a preliminary injunction issue as therein prayed for, notice was served upon Attorney General Ball and a day fixed for the hearing of the same.

On account of the immense importance of the questions raised by the bill, denying as it did the right of the State to tax any of these land-grant railroad lands while owned or held by the companies, even although earned, and that the company was liable only to the payment of a specific tax, and as this was considered a test case, all the other railroad companies in the State holding lands under similar circumstances, relying upon a decision in this case to relieve their lands from taxation; it was deemed advisable to employ counsel to assist in representing the State upon the argument of said motion. Accordingly Messrs. Kent, Russell, and Meddaugh of Detroit, and Upson of Coldwater, were employed on behalf of the State. The motion was argued in Detroit before *Judges Emmons and Longyear. Judge Emmons* afterwards delivered an elaborate opinion, which was concurred in by *Judge Longyear*, sustaining the validity of the Act of 1873, holding that such lands were liable to taxation and denying the injunction.

The bill having been demurred to by counsel for the State, was afterwards dismissed, when the complainants appealed the case to the Supreme Court of the United States where it is now pending.

April Term, 1874.

At the April Term of the present year, *The People ex rel. John Sutherland,* applied for a *mandamus* against the *Governor.* The reasons for the petition were that the Governor had refused to sign certain certificates which the law contemplated he should sign, when the Portage Lake and Lake Superior Ship Canal had been completed, and by which the Portage Lake and Lake Superior Ship Canal Company would become seized in fee simple of certain lands granted by Congress for the purpose of building a harbor and ship canal from Portage

Lake to Lake Superior, which canal would become a national highway for the passage of boats plying on the great lakes. The *mandamus* was denied on the ground that the executive department of the State, could not be controlled in any respect by the judiciary.

At the same term, the case of *Wellar vs. The People*, on error from Saginaw circuit was argued and submitted. Wellar was informed against for feloniously, wickedly, and willfully killing and slaying one Margaret Campbell, and was convicted. The errors assigned, were: the charge to the jury that the crime was murder if Wellar committed the homicide, unless there was some extreme provocation, and that if Wellar intended bodily harm he was responsible for the result, as acting maliciously; the admission of evidence and right of the prosecution not to call all persons whose names are found on the complaint. The court held that the crime would be murder or manslaughter (if either) according to the intent which caused the accused to inflict the injury; that it was competent to show the relations existing between Wellar and the deceased in explanation of their conduct and motives, and that the prosecution must call all witnesses whose names are on the complaint, or were present at the commission of the alleged crime, and have them in court ready for examination whether their testimony will be favorable or unfavorable to the case.

The court finding error in the admissions of evidence and in the rulings of the court, reversed the judgment and ordered a new trial.

At the same term of court the case of *The People vs. Saunders*, on exceptions from the Recorder's court of Detroit, was argued and submitted. Saunders was convicted of letting a dwelling-house knowing the lessee meant to use it as a resort for prostitution and lewdness. As there was error in the proof as to whether the house was used for that purpose, the conviction was set aside and a new trial granted.

At the same term, the case of *Libby vs. The People*, on error from the Recorder's court of Detroit, was argued and submitted. Libby was prosecuted and convicted of larceny. The question was the constitutionality of Section 7930, C. L.: whether the allegation in the information charging in accordance with that section that Charles Libby "did feloniously steal, take, and carry away of the personal property, goods, and chattels of Bruno Rappel, from the possession of him, the said Bruno Rappel, then and there being found one hundred and twenty-five dollars in money of the value of one hundred and twenty-five dollars," was a sufficient description of the stolen property to inform the accused of the nature of the accusation. The court held that it was, and affirmed the judgment.

At the same term the case of *Brown vs. The People*, from the same court and involving the same questions, was submitted, and with like result.

At the same term the case of *The People vs. Lynch* on exceptions from Bay Circuit, was submitted on briefs.[1] Lynch was tried for an assault with intent to commit rape upon a girl fourteen years of age. The principal question in this case was the sufficiency of cause for the issuing of a warrant by a justice of the peace to bring before him for examination a party accused of a criminal offense. The court held that the object of the examination of a complainant as contemplated by our statute is to determine whether there is cause for issuing a warrant to bring the accused before the justice for examination, not

[1] In this case I was retained as counsel for the accused before I was appointed Attorney General, and therefore could not argue it. It was submitted on briefs on the part of the people by T. F. Shepard, Esq., Prosecuting Attorney of Bay county.

to determine innocence or guilt, and that no stronger evidence is required for issuing a warrant than is required upon an examination of an accused to bind him for trial. As no error was found, it was ordered that judgment be rendered on the verdict.

At the same term the case of *The People ex rel. Nathan Shumway vs. David D. Bennett*, was submitted on briefs. This was a proceding by *quo warranto* to inquire by what right Bennett claims to be president of Fairfield, Lenawee county, a village organized under act 179 of the Session Laws of 1873. It was intended to test the validity and constitutionality of that act. The court holding the act unconstitutional, rendered a judgment of ouster against Bennett.

July Term, 1874.

At the July term of the present year, the case of *Mentor vs. The People*, on error from Van Buren Circuit, was argued and submitted. Mentor was prosecuted and convicted of bigamy. The first information was quashed, on defendant's motion, and leave being granted a new one was filed. The errors assigned were the sufficiency of the verification to the second information, and the jurisdiction of the court which it had lost by quashing the first information, and which could not be regained by giving leave to the prosecution to file a new information upon the proceedings previously taken before the justice of the peace. The court held that the initiatory steps in a criminal case were not quashed, but stood as a basis for filing a new information, as if the first information had not been quashed; that the court therefore lost no jurisdiction of the prisoner, and the new information being for the identical offense for which defendant had been arrested and had waived examination, the evidence was not open to the objection taken; and that so long as a proper verification is made, it matters not what the form of words used may be; and, therefore, affirmed the judgment.

At the same term, *the case of Ward vs. the People*, on error from Kent Circuit, was argued and submitted. The only error assigned was whether a trial for assault and battery before a justice of the peace, without a jury, is not a violation of a constitutional right. The court held that a person accused of an offense triable before a justice, although his silence should not be treated as a waiver of a jury trial, may elect by express declaration even in criminal cases whether he wishes such a trial. As the record showed that Mentor had been deprived of none of his constitutional rights, the judgment against him was affirmed.

At the same term, *the case of the People vs. Calder*, on exceptions from the Recorder's Court of Detroit, was argued and submitted. Calder was tried and convicted of polygamy. The case was brought here to ascertain whether the form of solemnization of marriage according to some duly recognized Church and the statutes of New York could be received as evidence. The Court held that when the form of solemnizing marriage was proved to be that of some regular acknowledged Church, performed by some person known to be the pastor thereof, and when the statutes of New York have been recognized as the law existing at the alleged time of such marriage by some person who is known to be familiar therewith, such facts should be received as evidence. The judgment was affirmed.

At the same term the case of *Braman vs. The People*, on error from Houghton Circuit, was argued and submitted. Braman was prosecuted and convicted of having written a certain letter, which the court below held under our

statutes amounted to a threat, and written for the purposes of extorting money. The question turned upon the construction of the letter, and the court were equally divided as to whether it amounted to a threat or not.

At the same term *Wm. P. Buddington* applied for a writ of *habeas corpus*, on the ground that he was illegally held under a *mittimus* from a justice of the peace upon an alleged conviction for a third offense under the liquor law. The petitioner relied on the meaning of the word "offense," because his *mittimus* did not show that he had been twice convicted before. The court held that "offense" in its legal meaning is synonymous with conviction in prosecutions of this kind, denied the petition and remanded the prisoner to custody.

At the same term, *John Sorenson* also applied for a writ of *habeas corpus* for the reason that he was unlawfully sentenced to the House of Correction at Detroit. Sorenson had been convicted of violating the prohibitory liquor law. The court held that as the proceedings under the liquor law are civil, and not criminal, a person convicted thereunder could not be sentenced to a place designed only for the punishment of persons guilty of some criminal offense, and therefore granted the writ discharging the petitioner.

At the same term *Wm. Rice* applied for a *mandamus* against the Auditor General to compel him to refund certain moneys paid out by him for lands sold for taxes, the titles to which had been declared in the Circuit Court void for illegality as to certain ditch taxes which embraced a greater part of the tax for which the sale was made. The court denied the writ on the ground that the Auditor General is not authorized to refund money except as required by law. The State does not guaranty tax titles only in accordance with the statute. In other cases the purchaser must content himself with the title he gets. The purchaser's money is refunded when the land was not subject to taxation at the date of the assessment, or the taxes had been actually paid in due time, or a certificate had been given by the proper officer that no taxes were charged on the land. The State does not assume the responsibility for the regularity of proceedings of local officers, where the tax purchaser has better facilities of ascertaining the legality of the tax than the State authorities.

October Term, 1874.

At the October term of the present year the case of *The People vs. Olmstead*, on exceptions from Branch Circuit, was argued and submitted. Olmstead was convicted of manslaughter by procuring an abortion upon the person of one Mary A. Bowers. The questions submitted were the sufficiency of the information which follows simply the statutory provision for manslaughter and the admission of evidence. The court held the information bad for this particular offense, as it would often tend to surprise the accused at the trial, and would not advise him of the nature of the accusation enough to make a good defense. The court also held that persons not possessing the qualifications of experts should never be allowed to give testimony from their observation concerning the nature of a person's illness or its causes, or the nature of the crime or the causes which led to its commission, without proof of a sufficient examination and such knowledge or experience as will qualify them to offer an opinion. Dying declarations are statements of material facts concerning the causes and circumstances of homicide made by the victim under the solemn belief of impending death, the effect of which on the mind is equivalent to the sanction of an oath. The proof of the general reputation of a witness for truth and

veracity should be allowed no weight in removing suspicions arising from cross-examination or in counteracting testimony once impeached, as such proceedings would result in an endless inquiry and be a trial of witnesses instead of the action. The verdict was set aside, and no further proceedings were to be had upon the information as it stood.

At the same term of court, the case of *Gregory vs. The People*, on exceptions from Lapeer Circuit, was argued and submitted. Gregory was convicted of assault and battery before a justice, and the judgment on appeal was affirmed in the circuit. The question turned on the sufficiency of the complaint, which contained no *venue* nor date. These defects were held fatal, the proceedings were quashed and the defendant discharged.

At the same term, the case of *The People vs. Wilson*, on exceptions from the Recorder's Court of Detroit, was submitted on briefs. The only question was whether the charge that possession of stolen property, unexplained, is *prima facie* evidence of guilt, did not improperly influence the jury in their verdict. The court held not, and affirmed the judgment.

At the same term, the case of *Sullivan vs. The People*, on error from Houghton Circuit, was submitted on briefs. The error assigned was upon the question whether the burden of proof lies upon the defendant when the defense of *alibi* and *insanity* are set up, especially where there is a lapse of time between the alleged commission of the crime and the manifestation of insanity. The decision of the court has not yet been rendered.

At the same term of court the case of *The People vs. Wagner*, on exceptions from Saginaw Circuit, was argued. Wagner was convicted of larceny. The judgment was reversed.

At the same term of court, the case of *Benalleck vs. The People*, on error from Eaton Circuit was argued and submitted. Benalleck was prosecuted and convicted for the violation of the prohibitory liquor law, as a common seller. The error assigned was upon the omission in the declaration filed against him, to mention the particular section of the act which it is alleged he violated. No decision has yet been given.

At the same term of court, the case of *Meister et al. vs. The People*, on error from Saginaw Circuit, was argued and submitted.[1] The Meisters were prosecuted and convicted for attempting to burn a dwelling for the purpose of defrauding an insurance company. The decision of the court has not been rendered.

At the same term the *Connecticut Mutual Life Insurance Company* applied for a *mandamus against the State Treasurer*. The reason for the petition was that the State Treasurer, by the advice of the State Commissioner of Insurance had refused to receive the specific tax required of all insurance companies doing business in the State upon a less amount than the nominal premium fixed by the company and for which the policy-holders had rendered themselves liable. The application for the *mandamus* was argued and submitted but no decision has yet been rendered.

At the same term of court *The People ex rel. Darius E. Comstock applied for a mandamus against the Judge of Probate* of Van Buren county to compel him to appoint an inspector of liquors as required by the statute. The court held that the appointment of this inspector under the law is preliminary to possible

[1] In this case I was interested as counsel for the accused before I was appointed Attorney General, and therefore could not argue it. It was argued and submitted on the part of the People by O. F. Wisner, Esq., of East Saginaw.

criminal proceedings, and has no office except to that end. There is no provision whatever by which a jury can be summoned and a trial had in the Probate Court; consequently, its main purpose is wholly ineffectual.

Henry Johr matter and St. Clair Board of Supervisors,

During this term of court there was presented to the Board of Supervisors for the county of St. Clair for payment, the sum due the State upon a judgment heretofore rendered in behalf of the People against Henry Johr and his bondsmen, for the default in the payment of money to the State which came into his hands as County Treasurer from the sale of lands delinquent for taxes. The whole claim together with interest and costs amounted to $12,237 38. The grounds for the presentation of the claim to the Board were based upon a provision of our statute that the counties are liable to the State for any loss that may be sustained by the default of any county treasurer. The claim was referred to a committee who reported adversely.

I then applied for a *mandamus*, and an alternative writ was issued, directed to the said Board, commanding them to apportion the sum aforesaid upon the tax roll for the present year or to show cause why they refused. They showed cause, and it was argued and submitted, The court held that the claim was valid, and that the county was liable to the State for the default of its officer; that the counties are responsible for the acts of their officers so far as their transactions with the State are concerned; and that the State cannot be guilty of laches for delay in the presentation of such claims. Consequently, the Board were ordered to apportion and spread the amount of this judgment, together with interests and costs, upon the tax rolls of their respective townships and wards for the present year; and, in the event they neglected so to do, the Auditor General should charge the same back upon the county for the year 1875.

At the same term of court, the case of *The People ex rel. Frank L. King vs. the Sheriff* of Ingham county, was dismissed for want of prosecution.

At the same term of Court, the case of *The People ex rel. W. R. Bowes et al. vs. The Auditor General*, applied for a *mandamus* to compel the Auditor General to cancel certain taxes which he had assessed upon lands granted by Congress for railroad purposes, and which had been conveyed by the Board of Control in accordance therewith to the Port Huron and Lake Michigan Railroad. The answer set up that other parties than the petitioners were interested in these lands, and submitted to the Court the question whether any further proceedings should be had by *mandamus* when it appears that third parties claimed title to the land and were in possession of a part of the same. The Court has not yet given an opinion.

LAW CASES PENDING.

The case of *The People vs. John W. Hulin* and his sureties has not yet been settled. In August, 1873, judgment was rendered in behalf of the People against Hulin for the embezzlement of State Prison funds, for the penal sum of $5,000. The case was carried to the Supreme Court on error. An attempt was made to argue it at the July term of the present year, but failed. The case was noticed for argument and put upon the calendar for the October term; briefs were partly made; but the counsel for the defendant countermanded the same. Upon an investigation it was found that no bond had been filed to stay execution when the writ of error was applied for, and upon ascertaining

this fact execution was duly issued, and the goods and chattels of Hulin's sureties seized. There is no doubt but that the satisfaction of the judgment will be obtained and the rights of the State fully protected. This case has been noticed for hearing and will be argued at the January term.

The case of *T. Hamilton vs. The People* has been brought to the Supreme Court on error from Eaton Circuit. It has not yet been argued, but probably will be at the January term, 1875.

During the present year it was ascertained that defalcations had been made in the return of State taxes which had come into the hands of former county treasurers of Houghton and Keweenaw counties respectively, from the sale of lands held delinquent for taxes. The matter was handed over to the respective prosecuting attorneys of said counties, with full instructions to prosecute the same, so that the rights of the State might be fully protected.

Orville Reed, who has been tried for murder and convicted in the Saginaw circuit, has applied for a writ of error. The case will be argued at the January term.

The People ex rel. Wm. H. Clark, formerly deputy sheriff of Ingham county, applied at the July term for a *mandamus* against the Board of Supervisors of said county; and the court ordered the board to show cause at the October term, but by stipulation the showing was postponed until the January term for 1875. The petition sets up that the board have refused to allow the claims presented by Clark for services rendered while an officer of the county, and yet due to him. An answer has been returned, and the case will be argued next January term.

CHANCERY CASES PENDING IN THE INGHAM CIRCUIT TO CANCEL PATENTS.

Several suits were commenced by my predecessor in the Ingham Circuit in Chancery to cancel and set aside the sale of certain lands illegally and fraudulently sold at private sale during the year 1872. Some, of these lands had been reserved from sale by the Governor as mineral lands; other portions had not been offered at public sale, and were therefore not subject to private entry; while others were subject only to sale according to the provisions of the graduating act which had not been complied with. The descriptions of these lands, the class to which they belonged, the number of acres, and the persons to whom sold, are set forth fully in the report of the Commissioner of the State Land Office for the year 1873, and need not be here repeated.

Ammi W. Wright had purchased certain of these lands which had not been offered at public sale. Having been informed that Mr. Wright had refused to reconvey to the State, *upon the 13th day of May I caused information* to be filed in the Ingham Circuit in Chancery to cancel the patent issued. I afterwards became satisfied that Mr. Wright had never been requested to reconvey, and that he had purchased these lands in good faith. Upon such proceedings being commenced, Mr. Wright promptly offered to and did reconvey all the lands so purchased by him, the State refunding to him in scrip the amount received at the time of the sale. Mr. Wright did not purchase directly from the State in the first instance, and as he paid cash for the lands he was a loser by the transaction.

Richard S. Thomas also purchased, directly from the State, a large quantity of indemnity swamp lands which had not been offered at public sale, and about the time of the issuing of his patents, conveyed the same to John P. Irvin of Pennsylvania. *Upon the 28th day of May I caused an information*

to be filed to cancel and set aside the patents issued to Mr. Thomas. An answer was put in, issue joined, proofs taken, and the case submitted. Upon the 7th inst. a decree was granted canceling the patents. While the evidence in this case tends to show that Mr. Irvin was a *bona fide* purchaser, the same cannot be said of Thomas, as he purchased with full knowledge that these lands were not in market, and under somewhat suspicious circumstances.

William Harris also purchased certain lands said not to have previously been offered. An investigation, however, showed that they had been once offered at public sale, and no further proceedings were therefore taken in the premises.

An Information was filed by my predecessor to cancel the sale to *Welcome Hyde of lands reserved to the Chicago and Northwestern Railway Company.* I have always considered this a case in which the railway company was most interested, and have therefore not taken so active a part in trying to get the case to a hearing. Issue has been joined in this case, but no proofs taken as yet.

Certain reserved mineral lands were sold to Henry D. Smith, and James M. Wilkinson. Smith sold a part of the lands so purchased by him to the Morgan Iron Company. At the time I entered upon the duties of this office I found that bills in Chancery had been filed against these parties to cancel and set aside their evidence of title. I also ascertained that the Morgan Iron Company had been cutting large quantities of timber then standing upon the lands purchased by it from Smith, into cord-wood to be manufactured into charcoal. On ascertaining these facts, *upon the 29th day of April, I caused an order to be entered dismissing the bill filed against Smith and the Morgan Iron Company*, and upon the same day filed an information and obtained an injunction restraining the Morgan Iron Company from cutting any more wood upon said lands. Under my directions David J. Evans was by the Commissioner of the State Land Office sent to the upper peninsula with instructions to seize the wood so cut and hold it or sell it for the use and benefit of the State. Mr. Evans seized the wood, amounting in all to twenty-five hundred cords, and notified the company, but released the same upon the company's executing a bond with sureties to the State to pay all costs and indemnify the State against any loss it might sustain on account of the premises, should the State succeed in establishing its title to the lands. An answer was afterwards filed in this case, issue joined and proofs taken, and the cause was on the 7th inst. argued and submitted and a decree granted in favor of the State, canceling the patents issued.

Upon the 13th day of May, I also caused an information to be filed against Henry D. Smith, for the lands so purchased and retained by him, *and on the same day also an information against James M. Wilkinson.* Issue was joined in these cases, and by stipulation they are to abide the result of the case against Smith and the Morgan Iron Company.

In these cases against Smith, Wilkinson, and the Morgan Iron Company, I was unable to find any evidence tending to show fraud on the part of any of these defendants. They seem to have purchased in good faith. The sales, however, being contrary to law, their good faith availed them nothing.

The cases decided against Thomas and Irvin, and Smith and the Morgan Iron Company, have been appealed by the defendants to the Supreme Court. The cases have been noticed, placed on the calendar, and will be argued at the January term.

In closing this part of my report I must congratulate you upon the fact that as these cases now stand the State has succeeded in recovering back all the lands illegally sold except those reserved to the Chicago and Northwestern Railway Company, and as to these the State is not so particularly interested. I trust that as this was the first time the necessity arose for commencing proceedings to cancel patents issued by the State upon the ground that a State official had fraudulently issued the same, that it will be the last. The evidence taken in these cases satisfies me clearly that some of the officers in the State Land Office at the time these lands were sold were guilty of the grossest frauds. My only regret is that I have been unable to reach and punish them for so doing.

OTHER CHANCERY CASES PENDING.

The Jackson Mining Company, a company organized under our laws for the purpose of manufacturing and smelting ores and doing business in this State, was taxed in accordance with Act 57, 1872, by the Auditor General for the years 1868, 1869, 1870, and 1871, the specific tax required to be assessed upon all corporations of this State. The Company has filed a bill in the Marquette Circuit praying for an injunction to restrain the collection of the same, and asking for other equitable relief. The bill has been demurred to, and the cause is still pending.

Two cases are now pending in the Wayne Circuit against the Auditor General and the County Treasurer of said County. Injunctions have been granted in both of them commanding the County Treasurer to refrain from selling certain lands held delinquent for the payment of taxes for the year 1873.

Three cases have been commenced by Alfred Molliter et als., in the Presque Isle Circuit, against the County Treasurer of that County and the Auditor General, and injunctions have been granted in each of them commanding the respondents to refrain from selling certain lands in said county, held delinquent for the taxes of the year 1873. The causes will be adjudicated as rapidly as possible.

A suit is pending in the Midland Circuit in Chancery against the *County Treasurer* of said county, and the *Auditor General.* It is claimed by the complainant, the Jackson, Lansing and Saginaw Railroad Company, that certain lands owned by them in the county of Roscommon have been illegally and excessively assessed for taxation. A bill of complaint has been filed, and answered by the defendants.

A cause is also pending in the Ingham Circuit against the Auditor General and County Treasurer, and an injunction has been granted commanding them to refrain from selling a certain parcel of land claimed to belong to one Paul Geritz, and held delinquent for the taxes of 1873. The cause has been handed over to the Prosecuting Attorney, with full power to defend the same.

A suit is pending in the Huron Circuit in chancery, against the County Treasurer of that county, and the Auditor General; and an injunction has been granted commanding them to refrain from selling certain lands held delinquent for the taxes of 1872.

In January of the present year *a suit was commenced in the Isabella Circuit in chancery, by Edmund Hall against the Land Commissioner and Secretary of State.* Hall sets up title to land claimed to have been reserved for him for services in building a certain State road, and asserts that a patent has been issued by said defendants to other parties. An injunction has been

granted commanding the parties to whom the patent was issued to refrain from conveying the same. The fact is that Hall, like many other road contractors, reserved more land than his contract would permit. Upon the completion of the road, when he demanded patents for lands reserved on the contract, he found that the surplus reserve had been sold; and therefore he complains.

CLAIMS COLLECTED OR PASSED UPON BY ME.

Claim vs. Curtis.

The Board of State Auditors has placed in my hands for collection, a claim against L. B. Curtis, for moneys collected by him while Swamp Land Road Commissioner, on account of trespasses committed upon certain swamp lands. The amount with interest thereon from the date of its receipt by Mr. Curtis, amounting in all to $579 59, I collected and paid over to the State Treasurer. In justice to Mr. Curtis, I would say, that upon presenting the claim to him, he informed me that he had once sent the money by his agent to the State Treasurer, but who instead of paying it over to the Treasurer, misappropriated it. The delay was accounted for in this way.

Claim vs. Jackson, L. & S. Railroad Co.

A claim for specific taxes against the Jackson, Lansing & Saginaw Railway Company, was also placed in my hands by the Auditor General for collection. This tax was a charge against the Amboy, Lansing & Traverse Bay Company, and a lien upon its property at the time the Jackson, Lansing & Saginaw Company purchased its property, rights and franchises. Although at the date of such purchase, this tax did not appear upon the books of the Auditor General, owing to the fact that no report of the business of the Amboy Company had then been made, or was due, upon which the tax was to be computed. The only question was whether the Jackson, Lansing & Saginaw Railroad Company was liable to pay this tax under the circumstances, it having purchased in "good faith after inquiry made at the State Treasurer's Office," and paying all taxes then appearing against the Amboy Company. The Jackson, Lansing & Saginaw Company however, did not desire to contest the matter, but was willing to pay the amount if in my opinion the Company was liable. I examined the questions raised, and gave an opinion that the Company should pay the same. Accordingly, the amount, $1,308 27 was paid into the Treasury, and certain other charges upon the Auditor General's books, growing out of this claim were, under my advice, canceled. The facts in this matter will be more fully set forth in the report of the Auditor General.

"Beard Claim."

The Beard claim, so called, growing out of the dredging of the Muskegon Flats, never having been fully closed, was referred to me upon a dispute as to the proper method of computing interest under the joint resolutions of the Legislature referring this claim to the Board of State Auditors for allowance, and afterwards providing for payment of the same as allowed.

Under the statement and computation of the Auditor General, as approved by my predecessor, there was still owing by the State upon this claim on the 10th day of June, 1873, $21,448 53, with interest thereon from that date. This balance was upon a basis of giving interest upon the amount of principal as allowed by the Board of State Auditors. The Board, however, in auditing the

claim in 1865, found there was then due upwards of $15,000 for interest, which they also allowed. Mr. Beard's agents claimed that under the joint resolutions referred to he was entitled to interest upon the interest thus allowed as well as upon the principal, and according to his computation there was $27,722 98 due June 23, 1873, with interest thereon from that date.

Upon the 10th of June, the agent of Mr. Beard took exception to the computation as made by the Auditor General and asked for a rehearing, which, upon my advice, was granted.

The entire matter was then submitted to me, and upon the 25th day of July I gave an opinion to the Auditor General, holding that the rule applicable between individuals as to the payment of interest cannot be applied in a case against the Government. That in order to entitle a party to interest, in a case against the State it must be given him by stipulation in his contract, or where it is allowed by the legislature it must be given in express terms or by clear, necessary implication. That the joint resolution of 1865, authorizing the allowance and payment of this claim, with interest from tolls to be collected, was under the decision of the Supreme Court, in *Ryerson vs. Utley*, null and void —and that the joint resolution of 1869, under which the claim at present is to be paid, did not allow any interest, that therefore under the present legislation Mr. Beard was not entitled to any interest whatever upon the claim as audited and fixed by the Board of State Auditors. Under this view, instead of there being any balance due Mr. Beard in June, 1873, he was at that date overpaid, and is not entitled to any farther sum. In the report of the Auditor General, a complete history of this case will be found, together with copies of all the rulings and opinionsin the case.

Supreme Court Reporters.

It appeared from the Auditor General's report for the year 1873, that certain sums were owing the State by the late State reporters. By joint resolution No. 20, of the Session Laws of 1873, the Board of State Auditors were authorized to settle such claims. The Board referred the matter to me, when I at once wrote the various reporters—now living, asking them for a settlement and payment of the balance due. I found they were all willing to settle, but they claimed that for the 200 volumes of each edition deposited by them with the Secretary of State they were entitled to be allowed the regular retail price of $3 50 per volume. Some of them also claimed that certain losses which they had suffered—in the printing and binding of the reports, and afterwards in their sale on account of dishonest agents, bad debts, insurance storage, etc., should be allowed them by the State. At a meeting held in Lansing in October, at which all the reporters now residing in this State were present or represented. The followihg proposition was submitted by them to me for a settlement.

That they would sustain all losses growing out of and in connection with the publication and sale of their reports; that the State allow them $3 00 per volume for the copies deposited for the use and benefit of the State; that they be charged only with the moneys advanced by the State for cost of publication of said reports—this would include paper, printing, binding, freight and express charges in connection therewith, but would not include cost of copying opinions for the printer or other incidental expenses; that the value of the volumes deposited by them as above, and all cash payments made by them to the State be credited to them, and be deducted from the cost and expense of

publication as above; that the balance, if any, due from them to the State they will at once pay in cash or reports at three dollars per volume at the option of the Board.

This proposition I afterwards, on the 28th day of October, submitted to the Board, accompanying the same with a statement showing the account with each reporter if settled on that basis, and recommended that the proposition thus made be accepted. The Board, upon the same day, by resolution, authorthorized the Auditor General to close the accounts with the respective reporters upon the basis of the above proposition. Thus, another old matter, which was permitted to run too long, was closed amicably, and I think with advantage to the State. In investigating this matter, I found a large balance due the State from Mr. Gibbs, who, I am informed, has not resided in this State for a number of years. Upon examining his bond to the State, I found it executed by but one surety, who is now dead, so that owing to the great delay in looking after this claim, I consider that it is lost to the State. Some other matters growing out of the fact of County Treasurers not properly settling with the State as required by law, were referred to me, but were settled without any difficulty.

STATUES TO BE AMENDED.

In accordance with your request, I now desire to call your attention to some statutes which should be amended.

Section 7930, Comp. Law, is as follows: "In any prosecution for larceny or robbery of the money, bank notes or promissory notes, or bills of exchange of any person, it shall be sufficient to allege generally in the indictment, a larceny or robbery of money; and it shall be sufficient to maintain the charge in the indictment, that any money, bank notes, promissory notes, or bills of exchange, was stolen or obtained by robbery."

In *Libby vs. The People,* already referred to, the court held that this section was constitutional so far as applicable to the case then before the court. That it might be considered valid as to coin and those descriptions of paper usually recognized as money, but might perhaps be invalid as to promissory notes and bills of exchange.

We have also a statute which provides, "That in all indictments for murder and manslaughter, it shall not be necessary to set forth the manner in which, or the means by which the death of the deceased was caused; but it shall be sufficient in any indictment for murder, to charge that the defendant did willfully and of his malice aforethought, kill and murder the deceased; and it shall be sufficient in any indictment for manslaughter, to charge that the defendant did kill and slay the deceased," *2 Comp. Laws, § 7916;* and by *Sec. 7934,* "the distinction between an accessory before the fact and a principal, and between principals in the first and second degree in cases of felony is abrogated; and all persons concerned in the commission of a felony, whether they directly commit the act constituting the offense, or aid and abet in its commission, though not present, may hereafter be indicted, tried, and punished as principals, as in the case of a misdemeanor."

Under these sections it has become the common practice to make the information as brief as possible, charging that the accused, in cases of murder, did, on a day and year and at a place mentioned, one "A. B. wickedly and of his malice aforethought, kill and murder," or in cases of manslaughter, "did kill and slay," as the case may be, and under such an information to introduce

evidence tending to show that the accused was guilty, if at all, not as a principal but as an accessory. This practice is not confined to cases of murder or manslaughter alone, but is applied to almost every class of offenses which may, under *Sec. 7928*, be charged or described in the words of the statute creating it.

I certainly am not at all partial to forms, especially some of the verbose common-law forms, nor do I desire to see all the old, technical, common-law rules, relative to criminal pleadings, again adopted in this State. And, if in carrying out legislative provisions, intended to simplify the practice, we acted upon the presumption that the person accused was always guilty, and therefore was familiar with all the facts and circumstances surrounding the crime charged, although not set forth in the information, perhaps there would be no necessity of any change. But it is not so. The law rightly presumes innocence until the contrary is proven, and would do gross injustice did it not so frame its rules as to protect the innocent.

The old common law rule, so eminently fair and just, that "in every criminal prosecution the accused should be informed of the nature of the accusation" has been embodied in our constitution, and cannot be dispensed with by any statute, so that it is at least doubtful what changes the legislature can authorize in the form of charging an offense, which would give the accused less real and substantial information than was indispensably necessary at common law.

There are several conclusive reasons, recognized by all courts, why there should be no doubt or ambiguity as to the offense charged in a criminal information. A reference to but one will suffice for our present purpose. The particular transaction constituting the offense for which he is to be tried should be set forth, *to enable the accused to prepare his defense.*

Assuming the sections above quoted to be constitutional and applicable to the class of offenses sought to be charged in such general language, and that the above form of information would be good charging a person as principal, who was not personally present, and perhaps not even in the State, at the time the offense charged was committed, and that under such a charge the Prosecuting Attorney could introduce evidence tending to show the accused guilty as an accessory before the fact. Now, what information does such a general charge give the accused if innocent, of the nature of the evidence intended to be introduced against him? How shall he prepare his defense? The deceased may have been actually murdered, some person must have done it. These two principal facts may appear so clearly that no one would dispute them. If poisoned, there would be no doubt but that the murder was willful and malicious, although the fact of death by poison alone would not establish its being willful and malicious, so that the only important fact in dispute would be, did the accused procure, counsel, or command some other person to commit the offense? As, however, the information does not state *whom* the accused procured, counselled, or commanded, how shall he be prepared, when the evidence on the trial, for the first time gives the name of the *principal*, to show that he did not counsel, procure, or command *him* to commit the offense charged? He may be prepared with evidence to disprove the procuring of every other person who might be named or shown to be the principal, yet it would avail him nothing.

So an information charging the larceny of "money" the property of A. B., gives an innocent man, not sufficient knowledge of the offense to enable him to

be prepared to meet evidence showing the larceny of a "promissory note" executed by some private person he never heard of.

In *The People vs. Olmstead,* decided at the October term, the information charged that Olmstead, on a day and year, and at a place mentioned, "did one Mary Bowers wickedly, willfully and feloniously kill and slay," contrary, etc. The evidence was circumstantial and tended to prove that death resulted from attempting to procure an abortion, and that the accused was an accessory merely. The court held that the information did not sufficiently inform the accused of the nature of the accusation, and he was discharged.

These questions will be found more fully discussed in *Shannon vs. The People, 5 Mich., 72; Merwin vs. The People, 26 Mich., 298; Libbey vs. The People,* and *People vs. Olmstead,* not yet reported, and will undoubtedly be discussed in *Meisters vs. The People,* not yet decided.

Even should the court hold such general charges good, yet it is so "much more fair and liberal towards the accused to set out in the information the facts of his aiding and abetting, so as to inform him of the nature of the evidence to be adduced against him" that these statutes should be so changed, that while applicable to a larceny or robbery of coin or paper usually recognized as money, and to charges against principals, where applicable, yet that as to promissory notes and bills of exchange in cases of larceny, and accessories in all cases of felony the information should be more in accordance with the common law form; justice to the accused requires that he should not be in doubt as to the exact offense charged. If a mistake either way is to be made in such legislation, let it be in favor of an information which shall inform every one clearly and substantially of the offense for which he is to be tried, lest the innocent should be made to suffer, in our eagerness to punish the guilty by requiring all to guess at the nature of the accusation.

HABEAS CORPUS.

Chap. 223 of the Comp. Laws relating to *habeas corpus* and *certiorari,* provides that application for such writ may be made to the Supreme Court during its sittings or to any of the circuit judges, *or any officer who may be authorized to perform the duties of a circuit judge at chambers, or to a circuit court commissioner, § 6995.*

Our constitution vests the *judicial power* in one Supreme Court, in circuit courts, in probate courts, and in justices of the peace, and allows municipal courts to be established in cities.—*Art. 6, § 1.* It also declares that the Legislature may provide for the election of one or more persons in each organized county who may be vested with judicial powers not exceeding those of a circuit judge at chambers.—*Art. 6, § 16.*

That the powers to issue writs of *habeas corpus* and to adjudicate and determine the questions raised upon their return, is strictly judicial, would seem to admit of little doubt. And if this is so it becomes a very serious question whether such power can be conferred upon a circuit court commissioner, or officer authorized to perform the duties of a circuit judge at chambers.

That the right to issue writs of *habeas corpus* is claimed by circuit court commissioner, and often exercised by them to defeat and delay the ends of justice, are facts well known. In many such cases they hesitate not to review the proceedings of inferior courts, thus really assuming appellate judicial powers.

In *Rowe vs. Rowe,* not yet reported, the Supreme Court held that a circuit court commissioner could not, on *habeas corpus,* adjudicate on the right to the

custody of children as between the parents. In this case the court considered *Waldly vs. Callander, 8 Mich., 430,* decisive of the question. That case held that the Legislature could not confer upon these officers the authority to adjudicate upon the validity of titles asserted in lands. And the decision was placed distinctly upon the ground that this was a judicial power which only a court could properly exercise. While the case of *Streeter vs. Paton, 7 Mich., 341,* which sustained the power of commissioners to try complaints for the recovery of possesson of lands upon the ground that such power had been exercised under statutes in force before the constitution was adopted, and which it was not believed were intended to be abrogated by it, may still be good law, yet in the light of these more recent decisions, the doctrine there held, I think, would not be extended.

At the July term of the Supreme Court in the matter of William P. Buddington, on *habeas corpus,* it appeared that Buddington had been convicted by a justice for the third offense for selling liquors; that he had sued out a *habeas corpus* before a Circuit Court Commissioner, who, upon a hearing, remanded him. Buddington then made application to the Supreme Court for a writ of *habeas corpus,* which was granted. Upon argument it was claimed, on behalf of the people, among other things, that the proceedings before the Commissioner were a bar to any further proceedings by *habeas corpus,* and that the proper remedy, if any, was error or *certiorari* to the Commissioner. This of course, raised the question of the jurisdiction of the Commissioner in such cases, and the court held that the proceedings before the Commissioner were not a bar; that he had no authority to issue the writ when the inquiry contemplated the review or investigation of the proceedings of a judicial tribunal, since such an inquiry involved the exercise of judicial power in its strict sense which, under the constitution, could be conferred only upon courts.

It may be said, that in the light of these decisions, Circuit Court Commissioners will not hereafter issue writs of *habeas corpus.* Undoubtedly such will be the rule, yet there is no good reason why an unconstitutional statute should remain upon our statute books. Especially as in cases of *habeas corpus,* any officer authorized by statute to grant the writ, refusing, is liable to a heavy penalty. Of course, the refusal in such a case would not render him liable, but it is an argument sometimes used for issuing it. I do not wish to be understood as saying that Circuit Court Commissioners cannot issue writs of *habeas corpus* in any case. There are undoubtedly cases where they may—as where the person in custody is entitled to be released on bail, here they may issue the writ and let such party to bail. If our present statute, in providing that application for such writ might be made to a Circuit Court Commissioner, was construed to mean, that such application might be made *in cases not involving the exercise of judicial power in its strict sense,* as it should be, it would then be unobjectionable. The statute, however, authorizes the application to be made to the Supreme Court, or to a Circuit Court Commissioner, and is usually construed as conferring upon the latter the right to issue the writ in all cases where the Supreme Court could.

Recently, a person convicted in one of the western circuits was sentenced to State Prison at Jackson. An application was presented for a *habeas corpus* to one of the circuit judges, allowed, and a writ issued out of the Circuit Court of one of the eastern counties to enquire into the validity of such commitment. I think it never was the design of our legislature that one circuit

judge should allow such a writ to review the proceedings of some other circuit. If the statute is capable of receiving such a construction the sooner it is amended the better.

Sec. 6697, Comp. Laws, relating to forcible entry and detainer, also confers judicial power upon commissioners, and *Sec. 6706*, gives them jurisdiction over cases where any person shall hold over any lands or tenements after the time for which they were demised or let to him, *or contrary to the conditions or covenants of any executory contract for the purchase of lands or tenements.* The clause italicised was added in 1869. It is well known that many executory contracts for the sale of lands are now made, indeed a large proportion of the property changing hands in this State, is in the first instance sold, or agreed to be, under such a contract. Such contracts are usually drawn, making time the essence of the same, and providing that upon a failure to make payments as they become due, all previous payments should be forfeited. Courts of equity usually refuse to enforce such conditions. Yet under this section proceedings may be commenced before a commissioner, a trial had, judgment rendered therein, which is conclusive, unless appealed from, and all done within one week from the time of the commencement of the action. The vendee, from a technical failure to make the last payment, may thus be dispossessed, and so far as the proceedings before that officer are concerned, lose all he has paid and all improvements made by him on the premises.

There may be cases, for instance under leases, where such summary proceedings would be desirable and perhaps necessary, but at present, however, the power is too unlimited and unrestricted. This, in connection with the fact, that the power here attempted to be given, in the light of the cases above referred to, may well be questioned, would seem to be sufficient reason for a careful examination, by the legislature, of these sections, to see if they cannot be placed more in harmony with the decisions above mentioned.

INSPECTION OF LIQUORS.

The *Act of February 13, 1859, 1 Comp. Laws, § 1449, et seq.*, to prevent the adulteration of alcoholic liquors, etc., provided that the probate judge in each county should appoint one or more competent chemists as inspectors, whose duty it should be to inspect all alcoholic liquors imported into or manufactured in the county, etc. In case he found any adulterated, he was to seize the same and report such fact to the Prosecuting Attorney, who should forthwith institute proceedings against the person owning or offering such adulterated liquors for sale, and if upon the trial the accused was found guilty, of a violation of any of the provisions of the Act, "said inspector shall forthwith destroy such adulterated liquor."

This statute contemplated an examination of the offender before a justice, as in criminal cases, and a trial by information in the Probate Court, or in Wayne county, in the Recorder's.

In *People vs. Lawton* decided at the October term, it was held that this statute not having made any provisions by which there could be a trial by jury in the Probate Court, it was unconstitutional. I regret that the court did not pass upon the other questions discussed, viz.: The power of the legislature to provide for the inspection of liquors, the seizure and destruction of adulterated liquors after trial, and to confer such jurisdiction upon Probate Courts. I have no doubt but that the legislature has such power, and a law of this kind, carefully framed, and properly and prudently but rigidly enforced, would, in my

opinion, prove of the highest good. Should the legislature deem it advisable to amend this law, it would be well to confer the jurisdiction upon some other court, and thus avoid any question here. Some other changes might, perhaps, also be made. *Sec. 3* authorizes an inspection every three months, and also whenever the inspector is requested to do so, *by the written request of five citizens residing in the vicinity.* It may be questionable whether such a clause, even if otherwise unobjectionable, might not lead to abuses, and thus be contrary to the spirit of our constitution relating to unreasonable searches and seizures. All these things would undoubtedly be considered in a revision. In such a case it might be well to follow the law of some other State which had been approved by the courts.

MALICIOUS THREATS TO EXTORT MONEY.

Sec. 7528 of the Comp. Laws, makes it an indictable offense for any person who shall either verbally, or by any written or printed communication, maliciously threaten to accuse another of any crime or offense. In *Braman vs. The People*, argued at the July term of the Supreme Court, it appeared that Braman was convicted in the circuit court of Houghton county for writing a letter setting forth that one Allen was going to make complaint against one Edwards if the prosecuting attorney did not, and would also bring a suit for damages; that he, Braman, would be the principal witness in such cases, and asking Edwards whether he would stand trial and be sent to State Prison a term of years or pay him, Braman, a sufficient sum of money to enable him to leave that part of the country, and thus not appear as a witness on the trial. The court was equally divided as to whether such a threat was within the statute. This section should, I think, be amended so as to include threats of the kind set forth in the letter referred to, as such a threat is equally injurious as a direct threat to commence proceedings.

MANDAMUS.

It is a mooted question whether a *mandamus* served upon an officer or board, binds his or its successor to the performance of the act therein commanded. I can conceive of no good reason why this question should not be set at rest by the Legislature, so that when the court commands the performance of an official act or duty, it can be enforced even should the term of the particular officer or board upon whom the writ was served expire before it was obeyed.

In the case of the *People vs. The Supervisors of St. Clair County*, already referred to, an alternative writ was served upon the board requiring and commanding it to cause the amount of a certain judgment to be spread upon the assessment rolls of the county, or show cause to the contrary at a time therein specified. An answer was put in by the board. During the pendency of the proceedings in the Supreme Court the board adjourned without obeying the writ. A peremptory writ was afterwards granted. A motion was then made for an order to compel the board to meet and cause the tax to be spread as in the peremptory writ commanded. Although the court of appeals in New York had granted an order in a somewhat similar case, our court declined to grant the order, as the Auditor General could charge it over to the county on his books and cause it to be collected another year with interest, and the State would therefore only be delayed in the collection thereof. While this is true, yet, in my opinion, there is no necessity whatever for thus delaying it. I think an amendment should be added to the law providing that in case a board ad-

journs, or a board or officer neglects or refuses to perform an act within the time fixed by law for the performance of the same, after the service of a peremptory, or alternative writ of *mandamus*, should a peremptory writ afterwards be granted, that the court granting the writ should have power to order the board to meet again, at a time to be fixed in the order, and perform the order so commanded, and that an act so performed by any board or officer should have the same force and effect as though performed within the time otherwise fixed by law. This would prevent the defeat or delay of the orders of the court as first made, and coupled with the remedy for contempt, strictly enforced, might be the means of compelling a proper respect for their orders. And authority might be given the Auditor General in all cases where the board of supervisors refuse or neglect to order a State tax to be spread upon the rolls of their county, to apportion the same, to issue an order direct to the proper officers commanding them to spread the same upon their rolls; and that such order should be obeyed and have the same effect as though ordered by the board of supervisors.

MISAPPROPRIATION OF PUBLIC MONEYS.

It is a frequent source of complaint that public funds are often used for purposes not authorized by law. It is somewhat doubtful whether the Attorney General or Prosecuting Attorney can interfere in such cases, while it is clear that a citizen or tax-payer, even in behalf of himself and others interested in like manner cannot. The form of remedy is equally doubtful.

I would suggest that an act be passed making members of boards, and officers willfully misappropriating public moneys, personally liable, jointly and severally with the person or persons to whom the same is paid, therefor, and give the Attorney General, Prosecuting Attorney or any five or more freeholders residing in the vicinity where the offense was committed, the right to commence an action of assumpsit to recover back moneys thus paid, for the use of the municipality entitled to the same, and also the right to apply to a Court of Chancery for an injunction to restrain a threatened misappropriation, or payment of public moneys thus misappropriated. This question will be found fully discussed in *Attorney General vs. Detroit, 27 Mich., 263, and Attorney General vs. Moliter, 27 Mich., 444.*

IMPRISONING WITNESSES IN CRIMINAL CASES.

The old and barbarous doctrine of imprisoning witnesses, to be used on the trial of criminal cases, who, either from poverty or being strangers, are unable to find sureties for their appearance in court, should be abolished. It is but offering a premium to parties to hide crime rather than expose it. Besides, in the northern portions of the State there are usually, at certain seasons especially, a large number of strangers, non-residents, who intend to and do remain but a short time in the State, and crimes are often committed to which this class are the only witnesses. The result is that if the case can only be continued over one or more terms of court until such witnesses leave the State, the accused is then safe, and although guilty, goes unpunished, unless, indeed, the witnesses are imprisoned, which although sometimes is seldom done. This I think can be easily remedied.

Let the law in regard to criminal examinations before justices be so amended, that the accused shall not have the right to waive examination in any case, until the Prosecuting Attorney shall have sworn and examined all the mate-

rial witnesses he desires to, on the part of the people. That on the trial in the Circuit, in case the accused is bound over, such evidence might be read to the jury in case of the death, insanity, sickness, absence from the State or inability, after diligent search, to find and procure the attendance of such witness, and also in cases where the witness has been subpœnaed but is kept away by the opposite party.

That such an act would be constitutional, I have no doubt. The accused would be "confronted with his witnesses" on the examination, and have the right to cross-examine them fully. Indeed, this would be going but little farther than the law now does. At present, the evidence given on the examination may be used in cases of death, insanity, and sickness, and in cases where the witness is subpœnaed, but kept away by the accused. But whether evidence that the witness cannot be found after diligent inquiry, or is out of the jurisdiction, would be sufficient to let in his former testimony, is questionable. See *Cooley's Const. Lim., 2 Ed., 318 & N.*

Of course, the defendant should have the same right, and in making such a change it might be well to guard against any abuses likely to arise. The testimony taken on the examination, to be admissible in the Circuit, should be taken carefully, and the question and answer in full reduced to writing, instead of in a narrative form, and all objections to the same should be noted, the justice, however, not to pass upon the validity of the same, but take the answer subject to the objection. It would not be necessary to take all the testimony in this way, only so much as the prosecution or defendant intended to use in the Circuit. Other guards doubtless would suggest themselves to the legislature. I would then provide that no witness should be imprisoned, after such testimony was taken, who would enter into a personal recognizance, without sureties, for his appearance in court on the trial. Should such a law be passed, every reasonable means should be used to procure the attendance, on the trial, of the witnesses in person; failing in this, use their evidence. During my practice heretofore as prosecuting attorney, I have introduced on the trial in the Circuit, the depositions taken on the examination before the justice, and saw no objection to such a course. It worked well.

INSURANCE LAWS.

My attention has frequently been called to the defective state of our insurance laws. Some insurance companies not authorized to do business in this State, have through their agents, who sometimes reside out of the State, taken risks contrary to our statute. Such companies, as well as their agents, are liable to a penalty for so doing, but not being within the jurisdiction of our courts the penalty cannot well be enforced. In order to protect companies authorized to do business in this State, the Legislature should declare all policies thus issued, absolutely null and void. Under such a law very few would be willing to accept policies issued by such companies, and the Commissioner of Insurance should be authorized, in case any company which had thus violated our laws, should afterwards apply for a license to do business in this State to refuse the same until all penalties incurred by such companies were adjusted and paid, giving the Commissioner power to adjust, receive and pay the same into the treasury. I have already, in a communication to the Commissioner of Insurance, given such a construction to the present law, on the ground that a company liable to a penalty for a violation of our laws, should not be permitted to do business in this State until it had purged itself; that in asking permis-

sion to do business here, it should only be permitted to do so upon showing a clean record; that if it had already violated our laws and incurred a penalty, it must pay the penalty as a condition precedent to the right to do business, A matter of this importance however, should not be left to construction.

There are some other matters of importance relating to insurance which might and ought to be taken into consideration. At present insurance policies are so drawn, with so many conditions, and no two policies having the same conditions in every respect, that it often becomes difficult to enforce payment of an honest loss. The companies have also got into the practice of removing suits commenced in the State courts, into the courts of the United States, which is equivalent, in many cases, on account of the delay and expense attending a trial in the United States courts, to a denial of all remedy. This is often done for the purpose of compelling a compromise, and is in plain and direct violation of our statute and the decisions of the Supreme Court of this State.

I know insurance companies claim that these conditions are inserted by them in their policies for their protection against fraud, and that they are not taken advantage of except in cases of fraud. If this is true, fraud in insurance matters is becoming alarmingly prevalent. The difficulty, however, is, that the company is left the sole judge of the cases after loss, in which it will take advantage of some clause or condition, the violation of which in no way contributed to the loss, and thus prevent a recovery. Fraud vitiates all contracts. It requires therefore, no clause or condition inserted in a policy for such a purpose. A policy of insurance is intended to, and should be a mutual contract between the company on the one part and the person insured on the other. I think the Legislature in justice to the people of this State, should provide by statute, that property should not be insured to an amount greater, say, than three-fourths its actual cash value, and also adopt a form of policy, including such conditions as the Legislature might deem proper and necessary for the protection of both parties; and provide that no other conditions should be attached thereto or become a part of the same in any way, and require all companies, both foreign and domestic, to adopt such form. In this way a perfect form of policy might in a few years be obtained; one very great advantage, all policies would read alike, and a construction by the courts in one case would be applicable to all others; or if the Legislature deem it impracticable to adopt a proper form, the Commissioner of Insurance might be authorized to prepare a form to be used by all companies. In this connection, would it not be well for the Legislature to authorize the Commissioner of Insurance to refuse to renew the license of any company violating its agreement, by removing any suit commenced against it in the State courts, into the United State courts? I do not overlook the late decision of the Supreme Court of the United States, holding that an agreement of this kind by a company is not binding upon it. I have only seen an abstract of that opinion, and of course cannot say how far it would interfere with such an authority. If such an authority could, under that decision, be given the Commissioner, I think it should.

POWER OF COUNTY TREASURER TO ISSUE WARRANT AGAINST TOWN TREASURER.

Sec. 1029, Comp. Laws, provides that if any township treasurer or other collecting officer neglects or refuses to pay to the county treasurer, the sums required by his warrant, or to account for the same as required by law, the county treasurer shall issue a warrant under his hand, directed to the sheriff

of the county, commanding him to levy such sum as shall remain unpaid, etc., of the goods and chattels, lands and tenements of such officers and their sureties and pay the same to the county treasurer. In *Weimer vs. Bunbery*, decided at the October term, the court, while sustaining the constitutionality of such a law, held that under our present tax law the county treasurer had no record evidence in his office to show that a tax roll capable of enforcement, had ever been delivered to the town treasurer; that there was no basis for assuming the default to be the treasurer's, except the presumption on behalf of the supervisors that a public officer had performed his duty, and to which the treasurer was also entitled, and that an execution should notbe thus issued, without any record evidence before the officer issuing it, of the facts which show the default. I would suggest, that in order to meet the objection here raised, the law be amended requiring the supervisor or other assessing officer, upon completing his roll and attaching his warrant thereto to deliver the same to the county treasurer, whose duty it should be to examine the same, and if in proper form, that he charge the various amounts of taxes as therein specified, to the township treasurer or other collecting officer, and deliver the roll to him, taking his receipt therefor. In case of default he would then have record evidence in his office upon which he could issue his warrant as in *Section 1029* provided.

COLLECTION OF SPECIFIC TAXES.

Sec. 1168, Comp. Laws, provides, "That in all cases when any incorporated company hereafter to be incorporated is made subject to the payment of a specific State tax, this State shall have a lien on all of the property of said company, to secure the payment of said tax, which lien shall take precedence of all other liens or incumbrances whatever." My attention has been called to cases where corporations have failed to pay the specific taxes for which they were liable, and where payment of the same was not promptly enforced when due; the corporation afterwards was thrown into bankruptcy by its creditors, its property was sold to third parties, the corporation itself passing out of existence.

The act of 1848, which thus gives the State a lien, also provides the method of enforcing payment of any such tax, § *1169*. The remedy here given, for reasons apparent to any one, is wholly inadequate to meet a case like the one above stated. The act of 1848 having pointed out a remedy, it is questionable whether any other exists. I would suggest that the legislature take this matter into consideration and provide a suitable remedy.

REPORT OF ATTORNEY GENERAL.

The Act of April 5, 1871; 1 Comp. Laws, § *231*, makes it the duty of the several officers and boards of officers of the State * * to make their respective annual reports to the Governor, and for the period covered by the fiscal year closing on the 30th day of September. *Sec. 257* requires the report to be made to the legislature at the commencement of its annual session, and this report is to include an abstract of the annual reports of the several prosecuting attorneys, § *258*; and § *532*, as amended by Act No. 59 of the Session Laws of 1871, makes it the duty of the prosecuting attorney, on the 31st day of December in each year, to make and transmit to the Attorney General a report, etc. It is at least doubtful whether this section was repealed or intended to be by Act No. 126 of the same session, establishing the fiscal year for the Treasury. If not, then the Attorney General can not well make his report immediately

after the close of the fiscal year ending September 30, and include therein an abstract of the reports of the prosecuting attorneys for the year ending three months after that date. Rather than attempt this, I have concluded to make out my report for the year ending December 31, and leave it to the legislature to reconcile these little differences in the various sections referred to, especially as by so doing I am enabled to give a complete report, not only to the end of my term, but also to the end of the present term of the prosecuting attorneys. Otherwise, where changes occur in the office of prosecuting attorney, it might hereafter be difficult to obtain a report of the official business done between the 1st of October and the 1st of January following.

ESCHEATED LANDS.

In the summer of 1873, the Board of Escheats were notified that certain lands existing in the counties of Monroe and Lenawee would probably escheat to the State, if proper proceedings were instituted to recover the same. Accordingly, the Board authorized my predecessor to take proper steps to protect the rights of the State.

The estate in Monroe county was referred by him to the Prosecuting Attorney, with instructions to investigate the claim of the State, and to prosecute the same should he deem it advisable. He has made no report as yet about the prospects or validity of the claim.

Counsel were also employed by Attorney General Ball, and full power was given them to look into the condition of the two estates in Lenawee county, and to institute whatever measures were necessary to protect the State. Upon investigation, they report that they do not deem it advisable to litigate the claim, on account of its doubtful validity.

AMOUNT OF WORK.

The amount of work done and the importance of the duties of this office, are increasing daily. To attend to them as they should be, requires a considerable portion of the Attorney General's time. As will be seen by the *recapitulation* and by an examination of the number of cases which are carried to the Supreme Court at the present time with those in past years, the work of that court alone, imposed upon the Attorney General, is no slight duty. It is increasing rapidly. But the real importance of the office is not confined so much to this as to other duties which require the exercise of judgment and discretion. The Attorney General is required by our statute to be the legal advisor for all the different departments and different boards of the State. All legal questions which come before them are referred to him; the responsibility of these different departments, so far as their legal duties and their final action are concerned, rests with him; all claims in behalf of and against the State, and all suits brought against the State officers must be considered, prosecuted, or defended by him. Wherever any public State interest is being neglected, or any public right infringed upon, his advice is sought, and an adequate remedy is expected. The statutes impose upon him many other duties which it is unnecessary here to refer to.

CORRESPONDENCE.

The correspondence of this office is a task in itself. Scarcely a day passes that letters are not received asking for an opinion. Many of the questions involve nice construction of the law, or require careful investigation before

they can, with safety, be answered. Very many of them are so poorly stated, or so many important facts heedlessly or intentionally omitted necessary to their correct comprehension, that great caution is required. If this care is not exercised, an undue advantage perhaps may be taken of, or a wrong interpretation given to, some unguarded expression. Sometimes it is safe to withhold an opinion altogether.

The most important questions come from the different departments and officers of the State; but the greater part of the correspondence is confined to defining the duties of and interpreting the statutory laws relative to school district, township, and county officers. As many letters are received from commissioners of highways, perhaps, as from any one particular class. Very many questions asked and opinions sought are as foreign to the duties of the office as can be conceived; but they are generally answered through courtesy.

RECOMMENDATIONS.

Section 291, C. L., 1871, requires the Attorney General to keep in books provided for that purpose, a record of the proceedings of all cases over which he exercises any superintendence. Upon the commencement of my work with this office I was unable to find that a complete record of any case, for a period of twelve years or more, or a file of letters received or copies of those answered, had been kept. My predecessor had filed part of his letters and made copies of part of his replies. I would urge that this important part of the office receive more attention, especially in some degree equal to that devoted to one's own business.

I would recommend that the law be so amended that from and after the first day of January, 1875, the Attorney General be required to embody in his annual report, all important opinions given by him. This want is especially felt by the other officers of the State. If we had the previous opinions of the Attorney Generals printed and bound, they would explain many things, and lighten greatly the duties of this office.

RECAPITULATION.

Number of cases argued and decided:

October	term,	of	the	Supreme	Court	for 1873	2
January	"	"	"	"	"	1874	7
April	"	"	"	"	"	1874	7
July	"	"	"	"	"	1874	7
October	"	"	"	"	"	1874	11
Cases in Ingham Circuit, Dec., 1874							4
Total							38

Number of cases pending:

Chancery	cases	in the	Ingham	Circuit	2
"	"	"	Wayne	"	2
"	"	"	Presque Isle	Circuit	3
"	case	"	Midland	"	1
"	"	"	Huron	"	1
"	"	"	Marquette	"	1
"	"	"	Isabella	"	1
Criminal	"	"	Houghton	"	1
"	"	"	Keweenaw	"	1

Cases in the Supreme Court	6	
Case in the United States Supreme Court	1	
	—	20
Total		58

In concluding my Report, I am pleased to say, that the business of this office is now in excellent shape. There is a complete and full record of the various proceedings in each case in which the State is interested. The files pertaining to each case are complete. The State has not, to my knowledge, suffered any loss or injury on account of neglect or delay in this office. Each letter received by me has been properly placed on file in the office, so as to be found on a moment's notice. Every opinion of any importance given by me, has been copied and preserved in the office.

The Reports of the Prosecuting Attorneys, so far as received, will be found in an Appendix attached hereto.

ISAAC MARSTON,
Attorney General.

APPENDIX.

ABSTRACTS

OF

REPORTS OF PROSECUTING ATTORNEYS,

For the year ending December 31, 1874.

ALCONA COUNTY.

R. Z. ROBERTS, *Prosecuting Attorney.*

Number of persons prosecuted, 9.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	4	One settled by payment of $100 damages to complainant; 2 fined $10 each and costs; 1 fined $5 and costs.
Adultery	1	*Nol. pros.* for want of evidence.
Bastardy	1	Compromised and settled.
Rape	1	*Nol. pros.* for want of evidence.
Robbery	1	*Nol. pros.* for want of evidence.
Murder	1	Tried and acquitted.

ALLEGAN COUNTY.

A. H. FENN, *Prosecuting Attorney.*

Number of persons prosecuted, 88.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Perjury	1	Discharged.
Murder	1	Pleaded guilty manslaughter; 8 years.
Assault and battery	25	Total fines, $118.
Common prostitute	1	Discharged.
Drunk and disorderly	15	Ten imprisoned; 5 fined.
Gaming	1	Sureties to keep the peace.
Keeping gaming house	1	Discontinued.
Larceny	6	Four fined; 2 sent to prison.
Burglary	1	Sentenced to State prison.
Common seller	1	Fined $50.
Debt under prohibitory act	26	Six fined; 8 pending; 7 discharged; 10 discontinued.
Larceny from person	1	Sentenced to State prison.
Assault with intent to murder	1	Pending.
False pretenses	1	Discharged.
Forgery	2	One sent to house of correction; 1 discharged.
Cruelty to animals	1	Pending.
Adultery	1	Discharged.
Receiver of stolen goods	1	House of correction.
Vagrant	1	House of correction.

ALPENA COUNTY.

JUDSON D. HOLMES, *Prosecuting Attorney.*

Number of persons prosecuted, 148.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	64	Twenty-two convicted and fined $1 and costs; 8 convicted and fined $2 and costs; 5 convicted and fined $5 and costs; 5 convicted and fined $10 and costs; 3 convicted and fined $20 and costs; 10 settled and complaint withdrawn on payment of costs; 6 acquitted; 1 discharged after two trials by jury disagreeing; 1 convicted and fined the costs; 2 convicted and fined the costs, and required to give bonds to keep the peace for 90 days; 2 convicted and fined $10 and costs, appealed to Circuit Court; 1 still pending; and 1 *nolle prosequi* entered, and 1 escaped from officers before trial and ran away.
Assault with intent to kill	1	Bound over to appear at the Circuit Court. Still pending.
Bastardy	1	Bound over to Circuit Court for trial. Still pending.
Common drunkard	2	One complaint withdrawn, and 1 convicted and sentenced to 90 days at Detroit House of Correction.
Common prostitutes	3	Three convicted and sentence suspended on condition that they leave the county within 24 hours. Complied with.
Cruelty to animals	1	Bound over to Circuit Court for trial. Still pending.
Disorderly persons	3	One convicted and required to give bonds in $300 for six months; 1 convicted and required to give bonds in sum of $100, and 1 convicted and required to give bonds in sum of $200.
Disturbing peace	9	Two convicted and fined $1 and costs; 5 convicted and fined $2 and costs; 2 convicted and fined $5 and costs.
Drunk and disorderly persons	17	One convicted and fined $1 and costs; 2 convicted and fined $2 and costs; 11 convicted and fined $5 and costs; 1 convicted and discharged under suspended sentence, and 1 convicted and sent to jail for 5 days.
Embezzlement of soda fount while under contract of purchase	1	Acquitted.
Keeping house of ill-fame	4	Two convicted and and discharged under suspended sentence; 2 *nolle prosequi* entered.
Keeping disorderly dog	1	Convicted and fined $1 and costs.
Leaving vessel in violation of marine law	1	Convicted and returned to vessel.
Larceny	20	One convicted and sentenced for 3 years; 1 convicted and fined 10 cents and costs; 1 convicted and fined $15 and costs; 1 convicted and fined $25 and costs; 1 convicted and discharged under suspended sentence; 6 discharged by justices; 4 acquitted; 2 settled and complaint withdrawn, costs paid; 1 bound over to Circuit Court, still pending; 1 sent to jail 30 days; 1 sent to jail 90 days.
Refusing to support family	2	One convicted and held under statute in sum of $500 bonds; 1 complaint withdrawn.
Seduction	3	One bound over to Circuit Court for trial, still pending; 2 settled by the parties.
Selling liquor to minors	3	One convicted and fined $20; 1 acquitted; 1 convicted and appealed to Circuit Court. Still pending.
Selling intoxicating liquors in violation of statute	3	Two convicted and fined $35 and costs; 1 discontinued after two disagreements by jury.
Sureties to keep the peace	3	One convicted and held to give bonds in the sum of $200 for six months; 1 convicted and held to give bonds in the sum of $300 for 12 months, and 1 convicted and held to give bonds for 8 months in $200.
Violation of Sabbath	1	Convicted and fined $1 and costs.

ANTRIM COUNTY.

F. R. WILLIAMS, *Prosecuting Attorney.*

Number of persons prosecuted, 40.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	15	Three discharged before trial; 1 jury disagreed and further prosecution withheld; 11 convicted; 2 fined $10 and costs each; 1 fined $50 and $10 of costs; 6 fined $5 and costs each; 1 fined $15 and costs; 1 fined 1 and costs.
Drunkenness on street	5	All convicted; 4 fined $5 and costs; 1 sent to jail 10 days.
Larceny	5	One discharged before trial; 1 acquitted; 1 waived examination, committed for want of bail, imprisoned two months, not believed to be principal offender, and *nolle prosequi* entered by consent of court; 2 convicted and sent to Reform School until 21 years old.
Selling intoxicating liquors in violation of statute.	13	Six convicted of first offense and fined $25 and costs each; 2 convicted as common sellers and fined $50 and costs each; 3 convicted of second offense and fined $50 and costs each; 1 convicted of second offense in justice's court, appealed, and appeal discontinued by defendant after notice of trial by the people, judgment and costs of both courts paid; 1 convicted as common seller in justices' court and fined $50 and costs, appealed, and tried in circuit court, jury disagreed and case still pending.
Willful trespass	2	Both convicted and fined $8 and costs each.

BARRY COUNTY.

C. G. HOLBROOK, *Prosecuting Attorney.*

Number of persons prosecuted, 39.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	12	One fined $10; 2 fined the costs; 3 *nolle prosequied*; 3 tried, convicted, causes appealed, still pending; 3 tried and acquitted.
Drunk and disorderly	1	Convicted, imprisoned 50 days.
Threatening to accuse of crime with intent to extort money	6	Examination, accused held to bail for trial in Circuit Court, causes still pending.
Burglary	1	Examined, bound over, cause pending in Circuit Court.
False pretenses	2	Examined, bound over, cause still pending.
Larceny	1	Tried, convicted, sent to State Prison 1 year.
Vagrancy	4	One sent to House of Correcion at Detroit 1 year; 1 sent to same place 6 months; 1 90 days, and 1 acquitted.
Larceny	2	One convicted, sentence suspended; 1 escaped from officer after conviction.
Assault with intent to kill	1	Examined, bound over, cause still pending.
Larceny	1	A minor, under 16 years, sent to Reform School, Lansing.
Violation of prohibitory liquor law	7	Three convicted, paid fine $25 each; 2 sent to jail; released on *habeas corpus* by commissioner; tried and acquitted.
Selling liquor to minor	1	Acquitted on trial.
Malicious injury	1	Discharged on examination.

BAY COUNTY.

THOS. F. SHEPARD, *Prosecuting Attorney.*

Number of persons prosecuted, 562.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Adultery	3	Discharged on examintion.
Aiding prisoner to escape	2	*Nolle pros.*
Assault and battery	253	Seventy-seven fined from $1 to $50; 60 paid fine; 17 fine not paid; 80 sent to jail from 10 days to 3 months; 30 sentence suspended; 40 settled on payment of cost; 20 acquitted; 5 appealed, not yet tried.
Attempt to break jail	1	Convicted on another charge, and not tried on this.
Assault with intent to murder	4	One convicted of assault and battery, sent to House of Correction 1 year; 1 convicted of assault and battery, sent to House of Correction 6 months; 1 discharged; 1 not yet tried.
Assault with intent to rape	2	One discharged; 1 convicted, gave bonds for case in Supreme Court; judgment affirmed. Defendant forfeited his bonds and judgment obtained on the bonds.
Arson	4	Three discharged; 1 acquitted.
Burglary	3	One sent to State Prison 3 years; 2 sent to State Prison 2 years.
Disorderly persons	75	Thirty sent to House of Correction from 3 to 6 months; 6 gave recognizance for good behavior; 16 acquitted; 10 sentence suspended; 10 sent to jail.
Drunk	114	Forty fined $5 each; 22 paid their fine; 18 still owe $5; 45 sent to jail from 5 to 30 days; 16 sentence suspended; 13 acquitted.
Larceny, simple	60	Fifteen fined from $1 to $50; 10 sent to jail from 5 to 60 days; 16 acquitted; 16 sent to House of Correction from 60 days to 3 months; 3 sentence suspended.
Larceny, grand	19	Five sent to State Prison 2 years; 2 sent to State Prison 1 year; 1 sent to State Prison 5 years; 1 sent to State Prison 3 years; 1 sent to State Prison 15 months; 1 to Reform School until 21 years of age; 3 acquitted; 2 discharged; 2 sentence suspended; 1 not yet tried.
Larceny from person	2	One sent to State Prison 2 years; 1 discharged.
Malicious trespass	3	Two discharged; 1 sentence suspended.
Manslaughter	2	One convicted, sentence suspended; 1 acquitted.
Receiving stolen property	1	Four charges against one party; bound over for trial; forfeited his bonds and judgment obtained on the bonds.
Robbery	3	One convicted, sent to State Prison 5 years: 2 not yet tried.
Uttering forged paper	1	One sent to State Prison 2 years

BENZIE COUNTY.

WATSON J. YOUNG, *Prosecuting Attorney.*

Number of persons prosecuted, 10.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	2	One sent to State Reform School until 21 years old; 1 fined $50 but discharged on appeal.
Assault with intent to commit murder	3	Two verdict not guilty; 1 prosecutor failed to appear.
Violation of election laws	5	All indictments quashed.

BERRIEN COUNTY.

N. A. HAMILTON, *Prosecuting Attorney.*

Number of persons prosecuted, 49.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	12	Two fined $10 and costs; 1 fined $5 and costs; 2 fined $7 and costs; five not guilty; 1 sentenced to jail 60 days; 1 sentenced to jail 40 days.
Assault with intent to murder	3	One convicted, sentenced to State Prison 7 years; 2 pending.
Bigamy	1	Convicted and cause taken to Supreme Court.
Burglary	7	Two pending; 2 sentenced to State Prison 4 years and 6 months; 3 sentenced to State Prison 7 years.
Cruelty to animals	1	Not guilty.
Disturbing religious meeting	1	Fined $15 and costs.
Embezzlement	1	Pending.
False pretenses	1	Dismissed.
Larceny	19	Three acquitted; 1 fined $10 and costs; 2 sentenced to House of Correction 1 year; 5 sentenced to 2 years in State Prison; 1 to State Prison 1 year; 1 fined $25 and costs; 1 sentence suspended; 1 fined $5 and costs; 2 sentenced to 5 years in State Prison; 1 to 40 days in jail; 1 to 7 years and 6 months in State Prison.
Malicious maiming animals	1	Pending.
Murder	1	Jury disagreed on trial; *nolle prosequi* entered.
Selling liquor to minors	1	Fined $20 and costs.

BRANCH COUNTY.

FRANK L. SKEELS, *Prosecuting Attorney.*

Number of persons prosecuted, 144.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	67	Five fined $2 and costs; 3 fined $1 and costs; 1 sentence suspended; 2 Reform School; 10 fined $5 and costs; 5 fined $15 and costs; 1 discharged; 8 acquitted; 1 fined $11; 10 fined $10 and costs; 1 fined $20; 1 forfeited recognizance; 1 fined $6 and costs; 1 fined $25; 1 settled; 1 fined $7.50; 1 fined $8; 3 House of Correction 90 days; 2 fined $50; 1 fined $14; 1 fined $30; 1 fined $20; 1 House of correction 60 days; 1 fined $25; 2 fined costs; 3 pending.
Larceny	15	Two convicted, sentenced for 2 years; 1 convicted, sentenced for 1 year; 1 House of Correction 6 months; 3 House of Correction 90 days; 4 Reform School; 1 fined $50; 1 fined $10 and costs; 1 acquitted; 1 fined 5 and costs.
Selling liquor	8	Three fined $25; 1 settled; 2 discontinued; 2 tried twice, jury disagreed, *nolle pros.*
Drunkenness	5	Three convicted, fined $5.00; 2 acquitted.
Suretics to keep peace	10	Four gave bonds; 2 sent to House of Correction 90 days; 4 discharged.
Burning building with intent to defraud insurance company	2	*Nolle pros.* entered.
Selling kerosene oil below standard	1	*Nolle pros.* entered.
Keeping house of ill fame	1	Entered into bonds.
Common prostitutes	2	One entered into bonds; 1 House of Correction for 90 days.
Bastardy	2	One pending; 1 released by death of child.
Nuisance (mill dam)	1	Mill dam removed and *nolle pros.* entered.
Forging postal order	3	One discharged; 2 held for trial and taken by U. S. authorities.
Burglary	1	Convicted, sentenced for two years.
Adultery	2	Pending.
Murder	2	One convicted of manslaughter, sentenced 4 years; 1 pending.
Manslaughter by abortion	1	Convicted, new trial granted by Supreme Court.
False pretenses	2	Discharged.
Disturbing religious meeting	1	Convicted and fined $10, and costs.
Careless use of firearms	2	Acquitted.
Vagrancy	1	House of Correction 90 days.
Disorderly	5	Three entered into bonds; 1 House of Correction 6 months; 1 jail 6 days.
Injury to personal property	7	Three discharged, and costs assessed to complainant; 1 discharged; 3 fined $3 and costs.
Embezzlement	1	Pending.
Seduction	1	Pending.
Rape	1	Convicted, sentenced for life.

CALHOUN COUNTY.

JAMES A. MINER, *Prosecuting Attorney.*

Number of persons prosecuted, 283.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	53	One fined $10 and $40 costs; 8 acquitted; 1 fined $25 and costs; 1 fined $20 and costs; 1 fined $50 and costs; appealed to Circuit and then convicted but not sentenced; 1 convicted and appealed; 6 fined 6 cents and costs; 1 fined $5 and costs; 1 fined $200; 12 paid fines and costs; 22 settled by parties; 4 sentenced county jail 30 days.
Burglary	3	One convicted and sent to State Prison 3 years; 2 pending trial.
Adultery	2	Two convicted; 1 sentenced to House of Correction 2 years; 1 sentenced to State Prison 3 years; 1 pending.
Disorderly persons	75	Seventy-five convicted; 37 gave bonds for good behavior 1 year; 21 sent to House of Correction for 1 year in default of bail; 4 sent to House of Correction 3 months; 8 sent to House of Correction 6 months each; 1 sentenced to House of Correction 10 months; 1 sentenced to county jail 60 days; 1 sentenced to House of Correction 6½ days; 1 sentenced to House of Correction 65 days; 1 90 days, all in default of bail.
Drunkenness	22	Twenty-two convicted; 10 fined $1 and costs; 5 fined $5 and costs; 7 fined 6 cents and costs.
False pretenses	5	One acquitted; 4 discharged on examination.
Forgery	1	One sentenced to Detroit House of Correction for 1 year and $100 fine; in default of fine 2 years in House of Correction.
Habeas corpus	2	Two remanded.
Incest	1	One pending trial.
Larceny	53	Twenty-nine convicted; 1 sentenced to House of Correction 6 months and $500 fine; default of paying fine 18 months in House of Correction; 1 convicted, sentenced 4 years in State Prison; 1 convicted, sentenced 2 years in State Prison; 1 sentenced county jail 3 months; 1 six months in House of Correction and $100 fine, and in default of payment 6 months addition in House of Correction; 2 fined $10 and costs each; 1 discharged on examination; 1 sentenced to 3 months in county jail; 1 three months in House of Correction; 1 fined $20 and costs; 1 fined $5 and costs; 10 held for trial in Circuit Court; 1 sentenced State Prison 3 years; 1 sentenced 2 years in State Prison; 1 sentenced to pay $100 fine and 1 year in House of Correction; 3 sent to Reform School until 21 years old; 1 paid costs and sentence suspended; 1 sent to House of Correction 2 years; 1 90 days House of Correction or $50 fine; 1 sentenced 1 year to House of Correction; 1 sentenced to 4 months in House of Correction, and gave bond for good behavior; 2 pending trial; 10 fined $2 and costs each; 8 settled.
Malicious cutting timber	4	Four pending trial.
Perjury	3	One pending trial; 2 *nol. pros.*
Requisitions	2	Fugitives not yet arrested.
Search warrants	6	Property found in four cases; 2 not found.
Seduction	1	One convicted and time allowed for defendant to settle bill of exceptions.
Selling liquor	26	Thirteen convicted and fined $25 and costs each; 5 jury disagreed; 12 settled by parties agreeing to quit the business; 5 settled by defendants paying costs; 1 selling to minor, fined $2 and costs.
Selling chattel mortgaged property	3	One convicted, fined $40 and 3 months in jail; 1 settled; 1 acquitted.
Throwing cars from track	3	Two held for trial; 1 convicted of assault and battery, fined $200.
Violation of Sabbath	8	Eight paid costs and discharged.
Keeping house of ill-fame	2	Two cause dismissed, witnesses run away.
Embezzlement	2	One held for trial; 1 pending trial in Circuit.

CASS COUNTY.

SPAFFORD TRYON, *Prosecuting Attorney.*

Number of persons prosecuted, 147.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	27	Four convicted and fined $15 each; 4 fined $10 each; 2 fined $5 each; 4 fined $8 each; 2 fined $1 each; 1 fined $23; 1 sent to Detroit House of Correction for 90 days; 1 convicted and sentence suspended; 1 fined $7; 2 acquitted; 4 dismissed; 1 pending.
Abduction	1	Discontinued.
Assisting prisoner to escape	2	Pending.
Assault with intent to murder	2	One convicted of assault and battery and fined $75; 1 pending.
Assault with intent to commit rape	2	One convicted and sent to Detroit House of Correction 1 year and fined $150; 1 pending.
Burglary	1	Convicted and sentenced to State Prison 3 years and 3 months.
Bastardy	3	Pending.
Burning stacks of wheat	1	Reason filed for not filing information.
Careless use of firearms	1	Convicted and fined $5.
Compounding felony	1	*Nol. pros.*
Drunkenness	16	Nine convicted and fined $5 each; 1 fined $3; 1 sent to county jail 15 days; 1 to county jail 10 days; 1 to county jail 5 days; 3 dismissed.
Disturbing religious meeting	7	Six convicted and fined $25 each; 1 fined $10.
Embezzlement	1	Convicted and fined $50.
Extortion	1	Pending.
False pretenses	3	One convicted and sentence suspended; 2 discontinued.
Forgery	2	Pending.
Habeas corpus	3	Held.
Larceny	14	One convicted and sentenced to Detroit House of Correction 60 days; 1 to county jail 15 days; 1 to county jail 10 days; 1 to Reform School; 1 fined $15; 4 fined $5; 2 fined 8; 1 fined the costs; 2 dismissed.
Obtaining signature to written instrument under false pretenses	2	Reason filed for not filing information.
Resisting officer	2	One convicted, sentence suspended; 1 pending.
Riot	4	Pending.
Selling liquor	42	One convicted and fined $100 and 3 months' imprisonment; 4 fined $50; 18 fined $25; 4 pending; 15 discontinued.
Stealing from shop or dwelling house	8	One convicted and sentenced to State Prison for 8 years and 3 months; 3 sentenced for 2 years and 3 months; 2 sentenced to 30 days each in county jail; 2 pending.
Surety to keep the peace	1	Recognized in the sum of $100.

CHEBOYGAN COUNTY.

WATTS S. HUMPHREY, *Prosecuting Attorney.*

Number of persons prosecuted, 16.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	5	One discharged; 2 fined $1 each and costs; 1 fined $3 and costs; 1 fined $5 and costs.
Breach of the peace	2	Convicted and gave bonds.
Drunkenness	9	Six convicted and fined $5 each and costs; 1 fined $3 and costs; 2 sent to jail for 15 days each.

CHIPPEWA COUNTY.

GEORGE W. BROWN, *Prosecuting Attorney.*

Number of persons prosecuted, 124.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	15	Convicted, 11.
Attempt to commit rape	2	Discharged on examination.
Assault and battery, attempt to murder	2	Discharged on examination.
Drunk and disorderly	68	Convicted, 70.
Larceny (simple)	10	Convicted, 7.
Violation of liquor law	10	Convicted, 5, fined $25 each, in justices' court; 3 cases appealed.

CLARE COUNTY.

C. C. FOUTCH, *Prosecuting Attorney.*

Number of persons prosecuted, 11.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	3	One fined $2 and costs,—fine paid; other 2 settled.
Larceny	3	One discharged; 1 fined $5; 1 paid fine; 1 fined $5 and costs,—paid fine.
Good behavior	1	Not guilty.
Disturbing religious meeting	1	Fined $15 and cost or 20 days in jail; sent to jail.
Detaining public records	1	Discharged.
Arson	2	One *nolle prosequi*; 1 not guilty.

CLINTON COUNTY.

ANTHONY COOK, *Prosecuting Attorney.*

Number of persons prosecuted, 43.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	23	Two pleaded guilty and fined $10 50 each; 8 convicted and sentenced to House of Correction 90 days each; 1 convicted, fined $15; 1 convicted, fined costs; 1 convicted, fined $5 and costs; 1 convicted, fined $2 and costs; 2 convicted, fined $20; 1 convicted, sentenced to jail 10 days; 1 convicted, fined $20 and costs; 1 convicted, fined $5 and costs; 1 convicted, fined $13; 1 convicted, sentenced to pay a fine of $10 and 60 days to House of Correction; 1 convicted, sentenced to jail 10 days; 1 convicted, fined $12; 1 convicted, fined $4; 1 convicted, fined $10 and costs; 1 discharge; 2 pending in Circuit Court.
Assault with intent to commit murder	1	Discharged.
Assault with intent to commit rape	1	Pleaded guilty, sentenced to House of Correction 6 months.
Burglary	1	Pleaded guilty, sentenced to House of Correction 1 year.
Cruelty to animals	2	Pending.
Embezzlement	2	Discharged.
Larceny	13	Two recognizances estreated, $500 each; 1 plead guilty, sentence suspended; 2 convicted, fined $50 each; 3 discharged; 1 plead guilty, sentenced to Reform School until 21 years old; 1 acquitted; 1 convicted, sentenced to Jackson 1½ years; 1 convicted, fined $26; 1 convicted, sentenced to jail 20 days.
Rape	2	Pending.
Resisting officer	4	Two convicted, fined $50; 2 acquitted.
Selling liquor to minors	2	One pending; 1 discharged.
Selling unwholesome food	1	Discharged.
Maliciously injuring personal property	1	Discharged.
Bastardy	2	Settled by complainants paying $250 each.
Keeping house of ill-fame	1	Pending.

DELTA COUNTY.

E. P. LOTT, *Prosecuting Attorney.*

Number of persons prosecuted, 54.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	26	Four acquitted; 1 fined $25; 8 fined $10 and costs; 2 $5 and costs; 6 fined $4 and costs, 3 $1 and costs.
Drunk	8	One acquitted; 7 fined $5 and costs.
Disorderly persons	2	One acquitted; 1 put under $100 bonds.
Embezzlement	1	*Nolle pros.* entered.
Forgery	1	Acquitted.
Keeping house of ill fame	3	One *nolle pros.* entered; 2 still pending.
Larceny	5	Two acquitted; 1 fined $10 and costs, and 2 still pending.
Malicious injury to animals	2	One convicted and sentence suspended; 1 still pending.
Malicious injury to building	2	Acquitted.
Murder	1	Acquitted.
Robbery	1	Acquitted.
Selling intoxicating liquor	1	Fined $25 and costs.
Sodomy	1	Acquitted.

GENESEE COUNTY.

HENRY R. LOVELL, *Prosecuting Attorney.*

Number of persons prosecuted, 160.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Abduction for purpose of concubinage	5	*Nol. pros.* entered.
Adultery	1	*Nol. pros.* at request of complainant.
Arson	3	One discharged by magistrate; 1 examination pending, and 1 pending in Circuit.
Assault and battery	47	One discontinued; 5 settled; 11 acquitted; 1 fined $1 and costs, and appealed; 1 fined $5 and costs, and appealed; 2 fined $10 and costs, and appealed; 5 fined costs; 8 fined $1 and costs; 2 fined $3 and costs; 2 fine and costs; 2 fined $5 and no costs; 1 fined $8; 2 fined $10; 1 fined $10 and costs; 2 fined $15 and costs; 1 fined $25; 1 sent to jail 5 days; 1 sent to jail 10 days; 1 sent to House of Correction 60 days; 1 sent to House of Correction 90 days; 1 sentence suspended.
Assault with intent to murder	2	One discharged on examination; 1 plea of assault and battery accepted and fined $25.
Bastardy	5	One discontinued; 3 settled; 1 convicted and committed to jail.
Burglary	2	One convicted and sentenced to House of Correction 18 months; 1 pending in Circuit.
Common drunkard	6	All convicted; 1 recognized; 4 sent to House of Correction for 65 days, and 1 to same for 90 days.
Common prostitutes	6	One recognized; 4 sentence suspended; 1 sent to House of Correction.
Disorderly conduct	1	Acquitted.
False pretenses	7	Two discharged on examination; 2 examination pending; 3 settled.
Grand larceny	11	Four dismissed by justice; information excused 3; 1 *nol pros.*; 3 pending.
Larceny from a dwelling	2	One convicted and sentenced 3½ years; 1 sentence suspended.
Indecent exposure of person	1	Sentence suspended.
Larceny	17	Two acquitted; 4 convicted and sentence suspended; 1 pending before justice; 2 fined costs; 1 fined $10 and costs; 1 fined $50 and costs; 2 sent to jail 10 days; 1 sent to House of Correction 90 days; 2 sent to Reform School until 21; 1 (a girl of 14 years) sent to House of Correction until 21.
Lascivious cohabitation	2	Discontinued.
Maiming	3	Two discharged on examination, and 1 settled by leave of court.
Malicious trespass	2	Settled by leave of court.
Murder	1	Convicted of manslaughter and judgment suspended on filing exceptions.
Perjury	1	Discharged on examination.
Rape	2	One *nol. pros.*; 1 tried and jury disagreed, standing 10 for conviction and 2 for acquittal; pending for new trial.
Resisting officer	1	Pending in Circuit.
Robbing graves	4	All pending in Circuit.
Seduction	1	*Nol. pros.*
Selling intoxicating drinks	18	Two compromised by complainants; 3 jury disagreed and dismissed; 13 discontinued by request of complainants.
Threats	5	Two acquitted; 1 settled; 2 convicted and recognized.
Vagrants	8	All convicted; 2 sent to House of Correction 6 months, and 1 sentence suspended.

There is also pending in the Circuit and at issue a *quo warranto* proceeding against the Flint & Fentonville Plank Road Company.

GRAND TRAVERSE COUNTY.

LOVELL H. GAGE, *Prosecuting Attorney.*

Number of persons prosecuted, 9.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	4	Settled by parties.
Assault with intent to commit rape	1	Discharged on examination for want of security for costs.
False pretenses	1	Convicted and fined.
Selling intoxicating liquors	3	Fined $25 and costs each.

GRATIOT COUNTY.

CHARLES E. WILLIAMS, *Prosecuting Attorney.*

Number of persons prosecuted, 54.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	28	One convicted and sentence suspended; 4 acquitted on trial; 5 convicted and fined $15 each; 2 convicted and fined $25, or 60 days in Detroit House of Correction; 1 fined $35, or 60 days in Detroit House of Correction; 2 tried and jury disagreed, *nolle prosequied*; 6 fined $5 each; 1 fined $80, or 90 days in Detroit House of Correction; 1 sent to Detroit House of Correction 6 months; 2 fined $10 each; 1 fined $75, or 90 days in jail; 2 fined $1 each.
Arson	1	Pending.
Assault with intent to murder	1	Pending.
Bastardy	2	One compromised by Superintendents of Poor; 1 *nolle prosequied*.
Burning stack hay	1	Tried and jury disagreed, *nolle prosequied*.
Drunkenness	2	Fined $5 each.
Disturbing religious meeting	1	Acquitted on trial.
Obtaining goods by false pretenses	1	Tried twice, jury disagreed each time, *nolle prosequied*.
Larceny	11	One sent to State House of Correction 8 years; 1 fined $50 and sent to Detroit House of Correction 6 months; 3 acquitted; 1 fined $10; 2 sent to county jail 60 days; 1 sentence suspended; 1 sent Detroit House of Correction 6 months; 1 fined $50, or county jail 6 months.
Polygamy	1	Convicted, sent to Penitentiary 3 years.
Perjury	1	Acquitted on trial.
Selling spirituous liquors	4	Two fined $25 each; 2 discontinued.

HILLSDALE COUNTY.

MART B. KOON, *Prosecuting Attorney.*

Number of persons prosecuted, 99.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	28	Three fined $1 and costs each; 1 fined $2 and costs; 1 fined $4 and costs; 2 fined $5 each and costs; 3 $10 each and costs; 1 fined $25 and costs; 1 fined $40 and costs; 4 sent to House of Correction 90 days each; 1 sixty days and 1 sixty-five days; 10 discontinued or acquitted on trial.
Assault with intent to murder	1	Discharged on examination.
Attempt to obtain property by false pretenses	1	Convicted, House of Correction 6 months.
Bastardy	3	Two discontinued; 1 examination still pending.
Burglary	6	All convicted; 1 sent to State Prison 5 years, 1 three years, and 1 five years.
Drunkenness	13	Eight fined $5 and costs each; 1 fined $4 and costs; 2 fined $5 and costs each; 1 fined $2 and costs; 1 sent to jail for 10 days.
Larceny	25	One fined $5 and 1 fined $60; 1 sent to jail 10 days, 1 thirty days, 1 six months; 1 sent to House of Correction 90 days, 1 three months, 1 six months, 1 two years; 1 sent to State Prison 2 years; 1 State Prison 2 years; 1 two years; 2 more 2 years each; 1 two years; 2 eighteen months each; 1 sent to Reform School; 1 examination still pending; 5 discontinued or acquitted.
Receiving stolen property	3	All convicted; 2 fined $100 each, and one $400.
Incest	1	Discharged on examination.
Forgery	2	One discontinued; 1 convicted, sent to State Prison 2 years.
Disorderly persons	8	Two discharged; 1 gave bail for 6 months; 1 sent to House of Correction 60 days; 1 sixty days; 1 seventy days; 1 ninety days; 1 six months.
Disfiguring animals	1	*Nolle prosequi* entered.
Obtaining property by false pretenses	4	Two still pending; 2 discharged.
Seduction	2	One still pending; 1 discharged.
Perjury	2	Both discontinued.
Removing pauper without legal authority	1	Forfeited bail.
Selling liquor to minor	1	Convicted, fined $20 and costs.

HOUGHTON COUNTY.

A. W. HENSSLER, *Prosecuting Attorney.*

Number of persons prosecuted, 11.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Demolishing a dwelling house	3	One convicted, sentenced to State Prison for 18 months; 1 acquitted, and 1 sentence suspended.
Burglary	2	One convicted, sentenced 5 years, and 1 to 1 year, State Prison.
Embezzlement	1	Sentenced to 2 years State Prison.
Intimidating and threatening laborers	1	Convicted, sentenced to a fine of $100 and costs of prosecution.
Sending threatening communication	1	Convicted, case taken to the Supreme Court on error; bench divided, but no certificate from the Supreme Court received up to date.
Perjury	1	Verdict, not guilty.
Bastardy	1	Settled by marriage of the parties.
Larceny from the person	1	Verdict, guilty; sentence, 5 years State Prison;

HURON COUNTY.

GEORGE S. ENGLE, *Prosecuting Attorney.*

Number of persons prosecuted, 33.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	18	One fined $10 and costs; 1 fined $9 and costs; 2 each fined $5 and costs; 3 each fined $3 and costs; 1 fined 6 cents and costs; 2 settled; 2 acquitted, and 1 escaped.
Arson	3	One sentenced to State Prison 5 years; 1 *nol. pros.* entered, and 1 acquitted.
Bastardy	2	One discontinued by marrying, and 1 pending.
False pretenses	2	One discontinued; 1 pending.
Fraudulent concealment of mortgaged property	1	*Nol. pros.* entered.
Grand larceny	1	*Nol. pros.* entered.
Murder	2	Dismissed on examination.
Malicious injury to mill machinery	1	Tried and acquitted.
Malicious injury to personal property	1	Compromised, costs paid, and discontinued.
Petit larceny	4	Two sentenced 40 days each in county jail; 1 sent to Reform School at Lansing; 1 acquitted.
Selling intoxicating liquor	2	Each fined $25 and costs.
Rape	1	Convicted and new trial granted.

INGHAM COUNTY.

E. D. LEWIS, *Prosecuting Attorney.*

Number of persons prosecuted, 198.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Adultery	4	Two *nol. pros.*; 2 pending.
Assault	1	Settled by defendant paying costs.
Assault and battery	59	Thirty-five convicted; 1 fined $15; 1 sent to Detroit House of Correction 1 year, and one 120 days; 1 fined $14 and costs; 1 fined $20 and costs; 17 fined $5 and costs; 1 fined $2 and costs; 1 fined $19.25; 1 fined $25; 1 fined $50; 1 fined $8; 1 fined $1.25 and costs; 1 fined costs of suit; 3 fined $3 each and costs; 2 fined $1; 1 fined 6 cents and costs; 3 acquitted; 11 discharged by the justices without trial; 3 settled; 2 discontinued, and 3 pending.
Assault with intent to murder	3	One convicted of assault and battery and fined $150; 1 acquitted; 1 reasons filed for not informing.
Assault with intent to commit rape	3	Two pending in Circuit Court; one pending before justice of the peace.
Assaulting an officer	1	Complaint withdrawn on defendant's paying costs.
Bastardy	1	Parties married,—discontinued.
Burning a barn	1	Sent to State Prison 9 years.
Burglary	4	One sent to State Prison; 2 sent to Reform School; 1 sentence suspended on receiving a 4 years' sentence to State Prison on conviction of another offense at same term of court.
Disorderly	3	Two sent to Detroit House of Correction 3 months in default of bail; 1 sent to same place 6 months in default of bail.
Disturbing religious meeting	2	Each fined $5 and costs.
Disposing of mortgaged property with intent to defraud	1	Acquitted.
Embezzlement	1	Pending before justice of the peace.
Forgery	1	Discharged by justice of the peace.
False pretenses	7	One convicted and sent to State Prison; 5 settled; 1 *nol. pros.*
Indecent exposure of the person	1	Pending for examination.
Injury to dwelling house	1	Settled.
Larceny	48	Thirty-three convicted; 6 sent to State Prison; 10 sent to Detroit House of Correction; 1 for 60 days; 1 for 200 days; 1 for 90 days; 1 for 9 months; 2 for 60 days each; 2 for 6 months each; 2 for 150 days each; 3 sent to the Reform School; 1 fined $15 and costs; 1 fined $10 and costs; 1 fined $25; 2 fined $29 each; 1 fined $24; 4 sent to jail; 1 sentence suspended; 3 fined $5 each; 5 acquitted; 2 settled; 2 discharged; 1 pending; 1 discontinued; 1 suit abated on account of sickness of the justice of the peace; 1 jury disagreed twice; 1 bond forfeited; 1 reasons filed for not informing.
Malicious mischief	2	One settled; 1 pending.
Malicious trespass	3	Two convicted and sent to the Reform School); 1 acquitted.
Poisoning animals	1	Acquitted.
Profanity	2	One convicted and fined $1; 1 acquitted.
Rape	3	Two *nol. pros.*; 1 pending.
Receiving stolen property	3	One convicted and sent to State Prison; 1 *nol. pros.*; 1 reasons filed for not informing.
Seduction	3	Two discharged by the justice; 1 discontinued on parties marrying.
Selling intoxicating liquors	81	Twenty-seven convicted of a first offense; 2 acquitted; 2 discontinued,—one after three juries had disagreed.
Selling intoxicating liquors to minor	1	Acquitted.
Selling unwholesome meat	1	Discharged.
Surety of the peace	3	All required to give bonds to keep the peace.
Vagrancy	5	Two sent to Detroit House of Correction, 1 for 4 months, the other six months; one released on his own recognizance.

IONIA COUNTY.

EDGAR M. MARBLE, *Prosecuting Attorney.*

Number of persons prosecuted, 99.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Murder	2	One convicted of manslaughter and sentenced 5 years; 1 acquitted.
Assault with intent to murder	1	Pleaded guilty and sentenced 1 year.
Burglary	5	One convicted and sentenced 3½ years; 1 convicted and sentenced 6 months; 3 pending.
Rape	2	One discharged; 1 pending.
Assault with intent to commit rape	1	Pleaded guilty of an assault and battery, fined $100.
Larceny	10	One convicted and sentenced 1 year; 1 convicted and sentenced 2 years; 1 convicted and sentenced 2½ years; 1 convicted and sentenced to Detroit House of Correction 8 months; 1 convicted and sentence suspended; 3 pleaded guilty and sentence suspended; 2 pending.
False pretenses	2	One acquitted; 1 pending.
Indecent exposure	1	Convicted and fined $50.
Affray	3	Convicted and fined $30 each.
Bastardy	1	Pending.
Assault and battery	30	Seven convicted and fined $1 each and costs; 3 convicted and fined $10 each and costs; 8 convicted and fined $3 each and costs; 1 convicted and fined $4 and costs; 5 convicted and fined $5 each and costs; 1 convicted and fined $8 and costs; 1 convicted and fined $7 50 and costs; 1 convicted and fined $12 and costs; 1 convicted and sentenced to jail 20 days; 2 convicted and sentenced to jail 2 days; 3 convicted and appealed to Circuit Court, and still pending; 1 convicted and sentenced to jail 5 days; 1 sent to Reform School.
Drunkenness	14	Six convicted and fined $5 each and costs; 4 convicted and sentenced to jail 5 days each; 4 convicted and sentenced to jail 10 days each.
Selling intoxicating liquors	9	Convicted and fined $25 each and costs.
Resisting an officer	1	Pleaded guilty and fined $100.
Vagrancy	3	Pleaded guilty and sentenced to House of Correction at Detroit 90 days each.
Riot	7	Discharged.
Furnishing intoxicating liquor to an habitual drunkard	1	Convicted and fined $25 and costs.
Petit larceny	6	One convicted and appealed to the Circuit Court, still pending; 1 sent to jail 5 days; 1 discharged; 1 sent to jail 10 days; 1 fined $5; 1 sent to Reform School until 21 years old.

IOSCO COUNTY.

O. E. McCUTCHEON, *Prosecuting Attorney.*

Number of persons prosecuted, 58.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	7	One convicted and sentenced 40 days in county jail; 1 fined $10 and costs; 1 fined $10 and costs; 1 sentenced 90 days to Detroit House of Correction and fined $100; 1 acquitted; 1 settled; 1 complaint withdrawn.
Assault with intent to murder	4	Two acquitted; 1 discharged on examination; 1 pending.
Burglary	4	One escaped; 2 discharged on examination; 1 pending.
Breach of the peace	1	Acquitted.
Common prostitutes	5	One convicted and sent to Detroit House of Correction for one year in default of bail for good behavior; 3 sent to Detroit House of Correction 90 days; 1 complaint withdrawn.
Disorderly conduct by drunkenness	1	Convicted, gave bail for 6 months's good behavior.
False pretenses	1	*Nol. pros.*
Forgery	8	Two *nol. pros.*; 1 gave bail and fled.
Keeping house of ill fame	7	Two convicted and sentenced to Detroit House of Correction 8 months; 1 convicted and sentenced to Detroit House of Correction 6 months; 2 *nol. pros.*; 1 acquitted; 1 gave bail and fled.
Larceny	18	One convicted and sentenced to State Prison 6 months; 1 convicted and fined $2 and costs; 9 convicted and sentenced to Reform School till 21 years of age; 6 acquitted; 3 discharged on examination.
Murder	1	Convicted of murder in second degree, new trial granted and case pending.
Neglecting to support family	1	Convicted, gave bonds to support family.
Neglecting to pay over money collected as attorney	1	Prosecuted under three charges; 1 acquitted; 1 jury disagreed; 1 withdrawn, and all cases settled by defendant.
Official misconduct, charges of against attorneys	2	One convicted and expelled from bar; 1 convicted, judgment suspended.
Refusing to assist officer	2	Discharged on examination.
Robbery	2	Discharged on examination.
Seduction	1	Discontinued on defendant marrying injured party.
Selling liquor	1	Convicted, committed for non-payment of fine.
Vagrancy	1	Convicted, sentenced to Detroit House of Correction 90 days.

ISABELLA COUNTY.

H. H. GRAVES, *Prosecuting Attorney.*

Number of persons prosecuted, 14.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Drunk and disorderly	2	Fined $1 and costs or 10 days in jail.
Disturbing religious meeting	4	One acquitted by jury, and *nolle prosequi* entered as to 3.
Selling intoxicating liquors	3	Two cases defendants' fined $25 and costs or 80 days in jail, and sentence suspended, and 1 case defendant acquitted by jury.
Obtaining goods under false pretenses	2	One acquitted in Circuit Court by jury, and 1 dismissed by prosecuting attorney by *nolle pros.*
Perjury	1	Convicted and sentenced to State Prison for 1 year.
Assault and battery	2	Fined $1 and costs or 10 days in jail.

JACKSON COUNTY.

JAMES GOULD, *Prosecuting Attorney.*

Number of persons prosecuted, 213.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	42	One convicted and fined $2; 5 fined $3; 1 fined $10 and costs; 1 gave bonds for 6 months; 3 sentence suspended; 2 sent to jail 10 days; 1 sent to jail 20 days; 10 fined $5 each; 18 discharged.
Adultery	3	Discharged.
Assault with intent to carnally know female child	1	Convicted and sent to Detroit House of Correction for 1 year.
Burglary	1	One convicted and sent to Detroit House of Correction 2 years.
Bastardy	2	Discharged on giving bonds to maintain children.
Common prostitutes	8	Convicted and sentenced to the House of Correction at Detroit for 3 months each.
Conspiracy	4	Three discharged; 1 fined $200.
Disorderly persons	74	One fined $100; 9 convicted, sent to jail for 6 months; 11 sent to jail 20 days; 1 sent 10 days; 8 sent 65 days; 1 sent 9 days; 11 sent 15 days; 3 sent 60 days; 11 sent to Detroit House of Correction 90 days each; 5 gave bonds for good behavior for 6 months; 18 sentence suspended; 7 discharged.
Defacing buildings	3	Sentence suspended.
Embezzlement	2	Discharged; 3 held to bail.
False pretenses	10	One convicted and sent to State Prison for 6 years on three informations; 1 convicted, new trial granted; 1 sent to State Prison 1 year and 3 months; 4 held to bail to appear at Circuit Court; 8 discharged.
Forgery	2	One *nolle pros.*; 1 acquitted.
Indecent exposure of person	1	*Nolle pros.*
Larceny	44	One convicted and fined $5; 1 fined $20 or 30 days in jail; 1 fined $25; 3 sent to Detroit House of Correction 90 days; 1 sent to jail 45 days; 1 sent to jail 10 days; 1 sent to jail 10 days; 6 sent 30 days each; 8 sentence suspended; 1 information quashed; 15 acquitted; 2 sent to Reform School till 21 years of age; 1 sent to State Prison 4 years; 1 sent for 3 years; 2 sent for 2 years each; 2 for 6 months each; 1 for 1½ years; 1 for 2½ years.
Maiming animals	4	One convicted,—fined $25; 2 convicted and sentence suspended; 1 discharged.
Perjury	6	Three *nolle pros.*; 1 discharged; 1 held to appear at next term of court; 1 tried, jury disagreed.
Receiving stolen property	2	One discharged; 1 acquitted.
Resisting officer	3	One *Nolle pros.*; 1 discharged; 1 acquitted.
Selling obscene books	1	Discharged.
Seduction	1	Now on calendar for trial.
Trespass	2	One fined $5; 1 discharged.
Willful trespass	2	Two sentence suspended.

KALAMAZOO COUNTY.

GEORGE M. BUCK, *Prosecuting Attorney.*

Number of persons prosecuted, 379.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Abortion	1	Acquitted.
Adultery	2	Discharged.
Arson	1	Acquitted.
Assault with deadly weapon	1	Pending.
Assault with intent to murder	3	One discharged in Circuit Court; 1 convicted of assault and fined $100 and 60 days in jail; 1 convicted of assault and fined $75.
Assault with intent to rape	2	Discharged.
Assault and battery	104	Eight acquitted; 10 *nol. pros.*; 7 satisfaction filed; 77 convicted, and 3 fined $50; 2 fined $30; 4 fined $25; 3 fined $20; 5 fined $15; 10 fined $10; 2 fined $8; 3 fined $7; 5 fined $6; 7 fined $5; 2 fined $4; 2 fined $3; 3 fined $2; 5 fined costs; 3 sent to jail 3 months; 3 sent to jail 2 months; 1 sent to jail 1 month; 2 sent to jail 20 days; 3 sent to jail 15 days; 4 sent to jail 10 days; 1 sent to jail 5 days; 4 sentence suspended; 2 pending.
Bastardy	3	One *nol. pros.* on marriage of parties; 1 convicted and ordered to pay $30 and $5 per month; 1 pending.
Disorderly	58	Ten discharged; 2 *nol. pros.*; 46 convicted, and 10 bailed; 6 sent to House of Correction 1 year; 4 sent to House of Correction 9 months; 8 sent to House of Correction 6 months; 2 sent to House of Correction 5 months; 1 sent to House of Correction 4 months; 7 sent to House of Correction 3 months; 3 sent to House of Correction 65 days; 1 discharged on habeas corpus; 4 sentence suspended.
Drunkenness	25	Four *nol. pros.*; 21 convicted, and 16 fined $5; 5 sentence suspended.
Embezzlement	2	One *nol. pros.*; 1 pending.
False pretenses	2	One discharged on examination; 2 discharged by Circuit Court; 2 acquitted; 1 *nol. pros.*; 2 convicted, and 1 sentenced to State Prison 2 years; 1 sent to State Prison 6 months.
Forgery	1	Discharged.
Gaming	8	Six convicted and 3 fined $25; 3 fined $8; 2 pending.
Indecent assault	4	One discharged; 3 *nol. pros.*
Keeping house of ill-fame	7	Four discharged; 2 acquitted; 1 pending.
Larceny	79	Three acquitted; 10 *nol. pros.*; 60 convicted, and 1 sentenced to State Prison 5 years; 1 sent to State Prison 4 years; 1 sent to State Prison 3 years; 4 sent to State Prison 2 years; 3 sent to State Prison 1 year; 3 sent to Reform School; 1 convicted of receiving stolen goods and not yet sentenced; 3 sent to House of Correction 9 months; 2 sent to House of Correction 6 months; 3 sent to House of Correction 3 months; 2 sent to jail 6 months; 1 sent to jail 30 days; 1 fined $50 days; 1 fined $40; 2 fined $30; 1 fined $25; 1 fined $20; 3 fined $15; 5 fined $10; 1 fined $6; 6 fined $5; 2 fined $3; 3 fined $2; 5 fined costs; 4 sentence suspended; 6 pending.
Malicious injury to house	4	Two discharged; 1 *nol. pros.*; 1 convicted and sentenced to jail 3 months.
Nuisance	2	One *nol. pros.*; 1 discharged in Circuit Court.
Obstructing railroad track	2	Acquitted.
Perjury	1	Discharged.
Polygamy	2	One convicted and sentenced to House of Correction 1 year; 1 pending.
Resisting officer	3	Two convicted and sentenced to jail 3 months; 1 discharged in Circuit Court.
Robbery	2	Discharged.
Sabbath breaking	5	Convicted, and 2 fined $10; 3 fined $5.
Surety of the peace	11	Three acquitted; 2 *nol. pros.*; 6 bailed.
Violating prohibitory liquor law	33	Eleven *nol. pros.*; 3 complaint quashed; 14 convicted, and 1 fined $50 and costs; 13 fined $25 and costs; 10 pending.

KALKASKA COUNTY.

A. T. KELLOGG, *Prosecuting Attorney.*

Number of persons prosecuted, 3.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	1	Discharged.
Burning dwelling in the day time	1	Acquitted.
Larceny	1	Acquitted.

KENT COUNTY.

EDWIN A. BURLINGAME, *Prosecuting Attorney.*

Number of persons prosecuted, 381.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Adultery	24	Four pleaded guilty and sent to State Prison; 2 tried and convicted and sent to State Prison; 1 tried and acquitted; 10 *nol. pros.* entered; 3 pleaded guilty and sent to House of Correction; 1 tried and sent to House of Correction; 3 discharged on examination.
Arson	9	Four discharged on examination; 1 pleaded guilty and sentence suspended; 3 tried and acquitted; 1 tried and convicted.
Assault	8	Three pleaded guilty and paid fine and costs; 2 dismissed; 2 tried, convicted, and paid fine and costs; 1 tried, convicted, and sent to jail.
Assault with intent to murder	8	Two *nol. pros.* entered; 2 dismissed; 4 convicted of assault and battery.
Assault with intent to commit rape	6	Two discharged on examination; 3 convicted of assault and battery and paid fine and costs; 1 *nol. pros.* entered.
Assault and battery	165	Forty-four pleaded guilty and paid fine and costs; 38 found guilty and paid fine and costs; 16 pleaded guilty and sent to jail; 21 found guilty and sent to jail; 12 tried and acquitted; 18 *nol. pros.* entered; 4 pending; 17 settled.
Attorney retaining collections	1	Pending.
Burning insured property	3	One tried and acquitted; 2 *nol. pros.* entered.
Burglary	26	Three found guilty and sent to State Prison; 5 pleaded guilty and sent to State Prison; 4 pleaded guilty and sent to Reform School; 1 pleaded guilty and paid fine; 5 pleaded guilty and sentence suspended; 6 discharged on examination; 2 reasons filed for not filing an information.
Breach of the peace	24	Ten pleaded guilty and gave bail; 4 tried and found guilty and gave bail; 1 tried and found guilty and sent to jail; 4 settled; 3 *nol. pros.* entered; 2 tried and acquitted.
Bastardy	13	Two tried and convicted and gave bonds; 8 settled by giving security; 1 discharged on motion; 2 discharged on examination.
Cruelty to animals	12	Five pleaded guilty and paid fine; 2 pleaded guilty and sentence suspended; 3 settled and costs paid; 2 *nol. pros.* entered.
Conspiracy	4	*Nol. pros.* entered.
Disorderly conduct	24	Eight pleaded guilty and went to jail; 5 found guilty and sent to jail; 3 pleaded guilty and gave bonds; 2 found guilty and gave bonds; 2 *nol. pros.* entered; 4 settled.

KENT COUNTY.—CONTINUED.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Disorderly conduct on railroad cars	5	Paid costs and settled.
Extortion	3	One pleaded guilty and paid fine and costs; 1 tried and acquitted; 1 settled.
Embezzlement	7	One pleaded guilty and sentence suspended; 3 discharged on examination; 2 *nol. pros.* entered; 1 found guilty and sent to State Prison.
Forgery	6	Two pleaded guilty and sent to State Prison; 1 pending; 3 *nol. pros.* entered.
False pretenses	14	Seven pleaded guilty and sent to State Prison; 4 *nol. pros.* entered; 2 tried and acquitted; 1 pending.
Incest	2	One pending; 1 pleaded guilty, and one sent to State Prison.
Keeping house of ill fame	5	Three pleaded guilty and paid fine; 2 pleaded guilty and sent to House of Correction.
Lewd and lascivious cohabitation	2	One pleaded guilty and paid fine; 1 *nol. pros.* entered.
Larceny	142	Five pleaded guilty and sent to House of Correction; 5 pleaded guilty and sent to Reform School; 28 pleaded guilty and sent to State Prison; 12 found guilty and sent to State Prison; 10 pleaded guilty and sentence suspended; 18 tried and acquitted; 13 found guilty and sent to jail; 8 pleaded guilty and sent to jail; 20 *nol. pros.* entered; 11 pleaded guilty and paid fine; 4 pending; 3 discharged on examination; 2 settled.
Murder	2	One discharged on examination; 1 tried and acquitted.
Malicious injury to dwelling house	14	Four pleaded guilty and sent to State Prison; 3 found guilty and sent to State Prison; 2 pending; 2 pleaded guilty and sentence suspended; 3 dismissed.
Malicious injury to personal property	12	Two *nol. pros* entered; 1 pleaded guilty and sent to State Prison; 4 pleaded guilty and paid fine and costs; 2 pleaded guilty and went to jail; 1 found guilty and sent to State Prison; 2 found guilty and sent to jail.
Perjury	2	One tried, convicted, and sent to State Prison; 1 pending.
Poisoning animals	1	Discharged on examination.
Resisting officer	5	Two pending; 2 discharged on examination; 1 *nol. pros.*
Rape	9	Five pleaded guilty and sent to State Prison; 1 tried, convicted, and sent to State Prison; 3 *nol. pros.* entered.
Selling liquor	19	Six convicted and paid fine and costs; 1 tried and acquitted; 5 pleaded guilty and paid fine; 4 went to jail, and 3 released on *habeas corpus*; 3 *nol. pros.* entered.
Seduction	2	One parties married and *nol. pros.* entered; 1 pending.
Violating insurance law	2	One discharged on examination; 1 pending.

KEWEENAW COUNTY.

THOS. B. DUNSTAN, *Prosecuting Attorney.*

Number of persons prosecuted, 12.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	8	One fined $50 and costs or 20 days in county jail; 1 fined $10 or 10 days in county jail; 1 fined $15 or 20 days in county jail.
Adultery	1	*Nol. pros.* entered.
Assault with intent to murder	1	Discharged on preliminary examination.
Careless use of firearms	1	Fined $1 or 1 day in county jail.
Disorderly conduct	5	Fined $1 each and gave recognizance for good behavior.
Injuring dwelling house	1	Convicted and sent to State Prison for 2 years.

LAKE COUNTY.

DARIUS C. WARNER, *Prosecuting Attorney.*

Number of persons prosecuted, 6.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	1	One convicted; 20 days in jail.
False pretenses	2	One discharged on examination; 1 reasons filed for not filing an information.
Forgery	1	One pending.
Perjury	1	*Nol. pros.* entered.
Willful trespass in tearing up railroad track	1	One reasons filed for not filing an information.

LAPEER COUNTY.

J. B. MOORE, *Prosecuting Attorney.*

Number of persons prosecuted, 188.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	30	One pending; 8 discharged; 4 sentence suspended; 2 fined $3 each; 5 each $5; 1 fined $5 50; 1 fined $7 65; 1 fined $9; 2 fined $10 each or 25 days in jail; 1 fined $15; 1 fined $20; 1 fined $36; 1 fined $66; 1 90 days in House of Correction.
Adultery	4	One pending; 3 discontinued.
Arson	1	Discharged.
Bastardy	1	Dismissed.
Breach of the peace	7	Three dismissed; 1 discharged; 3 bonds given.
Cruelty to animals	1	*Nolle pros.*
Drunk and disorderly	115	Penalties ranging from suspended sentence to 30 days in jail.
False pretenses	3	Two discontinued; 1 convicted and motion in arrest of judgment now pending.
Jail breaking	1	Acquitted.
Killing animals	1	Pending.
Keeping gaming house	1	Discontinued.
Larceny	15	Six dismissed; 1 jury disagreed, now pending; 1 acquitted; 1 $5 fine or 10 days in jail; 3 each 60 days in Detroit House of Correction; 1 fined $48 or 60 days in House of Correction; 1 ninety days in House of Correction; 1 three years in State Prison.
Malicious injury to building	2	One acquitted; 1 dismissed.
Resisting officer	2	Pending.
Rape	2	One pending; 1 *nolle pros.*
Stealing from person	1	Discharged.
Seduction	1	Settled by parties marrying.

LEELANAW COUNTY.

GEO. A. CUTLER, *Prosecuting Attorney.*

Number of persons prosecuted, 6.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault with intent to murder	1	*Nol. pros.* entered.
Selling spirituous liquor	2	One fined $25 and costs; 1 acquitted.
Violation of appealed liquor case bond	1	Pending.
Assault with intent to commit rape	2	One *nol. pros.* entered on payment of costs; 1 discharged.

LENAWEE COUNTY.

EDMUND B. SAYRES, *Prosecuting Attorney.*

Number of persons prosecuted, 197.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	52	Seven convicted and sentenced 90 days in House of Correction; 1 convicted and sentenced 65 days in House of Correction; 1 convicted and sentenced 20 days in jail; 2 convicted and fined $50 and costs; 3 convicted and fined $70 and costs; 3 convicted and fined $25 and costs; 3 convicted and fined $20 and costs; 3 convicted and fined $15 and costs; 3 convicted and fined $10 and costs; 8 convicted and fined $8 and costs; 4 convicted and fined $6 and costs; 4 convicted and fined $5 and costs; 1 convicted and fined $4 and costs; 2 convicted and fined $1 and costs; 1 acquitted; 2 settled; 4 convicted, sentence suspended.
Adultery	1	Convicted, sentence suspended.
Assault with intent to murder	5	One convicted and sentenced to 3 years in State Prison; 1 convicted and sentenced 2 years in State Prison; 1 convicted and sentenced 3 years in House of Correction; 1 convicted and sentenced 2 years in House of Correction; 1 convicted of assault and battery and fined $20 and costs.
Attempt to steal from person	1	Convicted and sentenced 1 year in State Prison.
Assault with intent to commit rape	1	Convicted and sentenced 1 year in State Prison.
Bastardy	4	One acquitted; 3 not disposed of,—out on bail.
Burglary	6	One convicted and sentenced 10 years in State Prison; 1 convicted and sent to Reform School until 21; 1 convicted and sent to State Prison 1 year; 1 convicted and sent to House of Correction 1½ years; 1 convicted, sentence suspended; 1 escaped from jail.
Disorderly persons	43	Five convicted and sentenced 1 year in House of Correction in default of bail; one convicted and sentenced 6 months in House of Correction in default of bail; 7 convicted and sentenced 3 months in House of Correction in default of bail; 16 convicted and sentenced 65 days in House of Correction in default of bail; 5 convicted and gave $300 bail for 1 year; 1 convicted and gave $300 bail for 90 days; 1 convicted and gave $200 bail for 1 year; 1 convicted and gave $400 bail for 6 months; 1 convicted and gave $500 bail for one year; 1 convicted and gave $100 bail for 1 year; 2 convicted, sentence suspended; 1 convicted and sent to House of Correction 6 years.
Disturbing public meetings	5	Three convicted and fined $7 and costs; 1 convicted and sentenced to jail 8 days; 1 convicted and fined $15 and costs.
Embezzlement	1	Convicted and fined $1000.
Forgery	1	Not disposed of,—in jail.
False pretenses	2	One convicted and sent to State Prison 1 year; 1 escaped from jail.
Incest	2	One convicted and sent to State Prison 2 years; 1 not disposed of,—in jail.
Larceny	24	Two convicted and sent to State Prison 5 years; 1 convicted and sent to House of Correction 1 year; 1 convicted and sent to State Prison 1 year; 5 convicted and sent to House of Correction 90 days; 3 convicted and sent to House of Correction 65 days; 1 convicted and sent to jail 30 days; 1 convicted and sent to jail 15 days; 2 convicted and fined $90 and costs; 1 convicted and fined $25 and costs; 1 convicted and fined $20 and costs; 2 convicted and fined $15 each; 3 convicted and sent to Reform School until 21; 1 not disposed of,—in jail.
Lewd and lascivious cohabitation	8	One convicted and sent to House of Correction 1 year; 1 convicted and sent to House of Correction 6 months; 2 convicted, sentence suspended; 2 convicted and sent to jail 60 days; 2 *nolle pros.* entered.

LENAWEE COUNTY.—CONTINUED.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Malicious mischief	8	Convicted and sent to jail 60 days.
Manslaughter	3	Two convicted and sent to State Prison 1 year; 1 convicted and sent to House of Correction 1½ years.
Murder	1	Convicted in second degree and sent to State Prison 20 years.
Rape	1	Not disposed of,—under $5000 bail.
Resisting an officer	1	*Nolle pros.* entered.
Riot	4	Not disposed of,—out on bail.
Robbery	2	*Nolle pros.* entered.
Selling diseased meat	1	Acquitted.
Selling lottery tickets	1	Bound over and bail forfeited,—$250.
Stealing from dwelling	3	One convicted and sent to House of Correction 2 years; 2 convicted and sent to House of Correction 1 year.
Stealing from store	3	One convicted and sent to State Prison 1 year; 1 convicted and sent to House of Correction 1 year; 1 escaped from jail.
Stealing from person	2	One convicted and sent to House of Correction 6 months; 1 convicted and sent to House of Correction 3 months.
Violation of liquor law	18	Eleven convicted and fined $25 and costs; 2 convicted and fined $50 and costs.
Watering milk	1	Convicted and fined $30 and costs.
Willful trespass	2	Acquitted.

LIVINGSTON COUNTY.

ANDREW D. WADDELL, *Prosecuting Attorney.*

Number of persons prosecuted, 104.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	31	Two fined $25 each and costs; 2 fined $10 each and costs; 1 fined $6 and costs; 8 fined $5 each and costs; 1 fined $3 and costs; 1 fined $2 and costs; 2 fined $1 and costs; 1 sent to jail 30 days; 1 sent to jail 60 days; 2 sent to the House of Correction 90 days each; 4 acquitted; 6 settled and discontinued.
Affray	2	Settled and discontinued.
Attempt to commit burglary	1	One pending.
Bastardy	2	One settled with Superintendent of Poor; 1 *nol. pros.*
Burglary	1	One *nol. pros.*
Conspiracy	3	Three settled and discontinued.
Drunkenness	5	Four convicted and fined $5 each and costs; 1 convicted and sentence suspended.
Embezzlement	1	Waived examination and gave bail to Circuit Court.
False pretenses	5	One not arrested; 3 cases pending in Circuit; 1 sent to Reform School until 21 years of age.
Forgery	3	Two not arrested; 1 indicted and case pending.
Larceny (petit)	8	One convicted and fined $25 and costs; 3 fined $10 and costs each; 1 sentenced 20 days in jail; 1 sent to the House of Correction 60 days; 1 sent to the House of Correction 90 days; 1 *nol. pros.*
Larceny (grand)	3	Three not arrested.
Malicious trespass	4	Four satisfaction acknowledged and discontinued.
Rape	1	One *nol. pros.*
Selling intoxicating liquors	24	Sixteen indicted,—cases pending; 2 convicted and cases appealed; 1 acquitted; 1 convicted and fined $25 and costs; 4 discontinued.
Selling diseased sheep	1	Settled and discontinued.
Selling property chattel mortgaged fraudulently	3	Two sent to jail 60 days each; 1 settled and discontinued.
Threats	5	Three gave security to keep peace; 1 acquitted; 1 *nol. pros.*
Vagrancy	1	Sent to Reform School until 21 years of age.

MACOMB COUNTY.

JAMES B. ELDRIDGE, *Prosecuting Attorney.*

Number of persons prosecuted, 70.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	36	Six convicted and fined $5 each or 10 days in jail; 11 fined $10 or 15 days in jail; 3 fined $15 or 20 days in jail; 8 fined $20 or 35 days in jail; 1 fined $25.77 or 40 days in jail; 4 *nolle pros.*; 7 settled and costs paid.
Assault with intent to murder	1	Convicted of assault; fined $30 or 60 days in jail.
Disorderly	1	Surety for good behavior for 6 months required and furnished.
Drunk	1	Convicted and fined $5 and costs.
Disturbing religious meeting	2	Both acquitted.
Embezzlement	3	Two *nolle pros.* entered; 1 convicted and fined $50.
False pretenses	1	*Nolle pros.*
Larceny	7	One bail forfeited; 1 *nol. pros*; 1 convicted and sentenced for 1 year; 1 sentenced for 3 years; 1 fined $40 or 80 days' imprisonment; 2 sentence suspended.
Malicious trespass	2	*Nolle pros.* entered.
Murder	2	One acquitted; 1 tried twice and let to bail.
Rape	2	One discharged; 1 escaped officer.
Resisting officer	1	Discharged.
Threats	6	One *nolle pros.*; 5 sureties required.
Violating Sunday law	2	One *nolle pros.*; 1 fined $10.
Violating election laws	1	*Nolle pros.*
Obstructing railroad	1	Acquitted.
Violating (Sec. 2155 C. L. 1871)	1	Fined $20 and costs.

MARQUETTE COUNTY.

JAMES E. DALLIBA, *Prosecuting Attorney.*

Number of persons prosecuted, 126.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Adultery	1	Reasons filed.
Assault and battery	63	Forty-two convicted and fined or imprisoned; 11 acquitted; 7 settled; 3 pending.
Assault with intent to murder	7	Two convicted and sentenced 10 years each; 1 convicted of assault and battery only, and sent to House of Correction 4 months; 1 *nol. pros.*; 1 forfeited bail; 1 reasons filed; 1 pending.
Assaulting officer	2	Acquitted.
Bastardy	1	Pending.
Burglary	2	Reasons filed.
Conspiracy	1	Reasons filed.
Counterfeit money in possession	3	*Nolle pros.*
Counterfeit money, uttering	1	Acquitted.
Embezzlement	1	Acquitted.
Forgery	4	One convicted and sentenced 3 years; 3 *nol. pros.*
Keeping house of ill-fame	4	Three *nol. pros.*; 1 pending.
Larceny	26	Six convicted and sentenced 3 years each; 1 convicted and sentenced 18 months; 1 convicted and sentenced 1 year; 1 convicted and fined $25; 4 acquitted; 7 reasons filed; 4 *nol. pros.*; 4 pending.
Lewd and lascivious cohabitation	2	One convicted and sent to House of Correction 1 year; 1 convicted and sentence suspended.
Malicious injury to dwelling	1	Pending.
Murder	4	One convicted and sentenced for life; 1 convicted of manslaughter and fined $500; 1 *nol. pros.*; 1 pending.
Obtaining goods under false pretenses	1	Pending.
Rape	2	One recognizance forfeited; 1 pending.
Riot	5	Convicted and sentence suspended.
Secreting property with intent to defraud	1	Information quashed.
Selling intoxicating liquors	5	Four convicted and fined $25 each; 1 acquitted.

MANISTEE COUNTY.

BYRON M. CUTCHEON, *Prosecuting Attorney.*

Number of persons prosecuted, 172.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault with intent to ravish	1	Bound over, awaiting trial.
Assault with pistol	1	Convicted in justice's court; appealed to Circuit Court; acquitted.
Assault and battery	66	Convicted 46: 1 fined $50 and sentenced 3 months in Detroit House of Correction; 1 sentenced 3 months in jail; 5 fined $50 each; 5 fined $25 each; 1 fined $20; 2 fined $10; 9 fined $5; 1 fined $4; 1 fined $3; 2 fined $2; 2 fined $2 50; 12 fined $1; 1 sentence suspended; acquitted, 6; dismissed, 10; settled, 1; warrant not returned, 3.
Burglary	1	Bound over to Circuit, tried, acquitted.
Bastardy	1	Bound over, pleaded guilty, and gave bonds.
Contempt	5	Convicted 2; 1 fined $5; 1 fined $1; 3 dismissed.
Cruelty to animals	1	Convicted,—fined $1.
Disorderly persons	9	Convicted, 4; 1 gave bonds in $300 for good behavior; 2 sentenced to Detroit House of Correction 6 months; 1 sentenced to Detroit House of Correction 1 year; dismissed, 2; warrant not returned, 2.
Drunkenness	1	Convicted, suit suspended.
Gaming	1	Dismissed on trial.
Injury to dam	1	Dismissed on trial.
Larceny	20	Convicted, 10; 1 fined $50; 1 fined $30; 3 fined $5; 2 fined $1; 1 sentenced 8 days in jail; sentence suspended, 2; acquitted 2; dismissed, 7; warrant not returned, 1.
Resisting officer	4	*Nolle prosequied*, 2; pending, 2.
Seduction	1	Settled by marriage.
Search warrant for stolen goods	4	
Sureties for peace	6	Convicted, 5; dismissed, 1.
Selling intoxicating drinks to a minor	1	Convicted, fined $20 and costs.
Selling intoxicating liquors	48	Convicted, 32; 1 fined $100 and 6 months in Detroit House of Correction, released on *habeas corpus*; 1 fined $50; 21 fined $25 each; 7 appealed,—pending; 6 dismissed; 8 not found; 2 escaped after conviction; 2 acquitted.

MASON COUNTY.

SAMUEL D. HAIGHT, *Prosecuting Attorney.*

Number of persons prosecuted, 45.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	21	Two fined $2 each; 6 fined $3 each; 5 fined $5 each (one fine remitted in this case); 1 fined $10; 1 sent to jail for 30 days; 5 acquitted; 1 discontinued after disagreement of jury.
Assault with intent to murder	1	Sent to State Prison at Jackson 5 years.
Drunkenness	12	Nine fined $5 each; 1 sent to jail for 10 days; 1 sent to jail for 12 days; 1 sent to jail for 18 days.
Larceny	10	Two sent to State Prison at Jackson 1 year each; 1 sent to jail for 30 days; 7 acquitted.
Under liquor law	5	One sent to jail for 30 days; 4 acquitted.
Bound over to keep the peace	1	For 6 months.

MECOSTA COUNTY.

BENJ. F. GRAVES, *Prosecuting Attorney.*

Number of persons prosecuted, 66.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault with intent to murder	2	One tried and acquitted; 1 convicted and sentenced to State Prison 3 years.
Arson	3	One *nol. pros.*; 2 still pending.
Assault and battery	16	Three acquitted on trial; 1 discharged for defect in complaint; 2 *nol. prosequied*; 10 tried and convicted; 2 fined $4 each and costs; 3 fined $3 each and costs; 4 fined $1 each and costs; 1 fined $50 and costs and 60 days in jail.
Bastardy	1	Still pending.
Forgery	1	Guilty, sent to State Prison 1 year, 7 months, and 15 days.
False pretenses	2	One *nol. prosequied*; 1 sent to State Prison 1 year.
Grand larceny	4	Three found guilty; 1 sent to State Prison 2 years and 6 months; 1 sentenced 1 year; 1 sentence suspended, and 1 pleaded guilty to petit larceny, and plea accepted and sentence suspended.
Petit larceny	17	Four acquitted on trial; 13 convicted; 2 sent to House of Correction 90 days each; 1 sentence suspended; 1 sent to county jail 15 days; 1 sent to county jail 20 days; 1 fined $25 and costs; 2 fined $3 and costs; 3 fined $2 and costs; 1 sent to Reform School.
Malicious injury to shade trees	2	*Nol. prosequied.*
Receiving stolen property	1	Information quashed.
Resisting an officer	1	Still pending.
Violation of liquor law	16	Seven tried and found guilty; 6 fined $25 each and costs; 1 fined $50 and costs; 3 people submitted to nonsuit; 5 discontinued; 1 not guilty.

MENOMINEE COUNTY.

T. B. RICE, *Prosecuting Attorney.*

Number of persons prosecuted, 8.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Drunkenness	1	Fined $10 and costs.
Assault and battery	2	Both fined $10 and costs.
Murder	2	Both acquitted.
Failure to pay moneys collected as attorney	1	Pending.
Larceny	2	One discontinued; 1 pending.
Rape	1	Pending.
Embezzlement	1	Pending.

MIDLAND COUNTY.

JAMES VAN KLEECK, *Prosecuting Attorney.*

Number of persons prosecuted, 60.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Adultery	4	Discharged.
Assault and battery	17	Three fined $5 each,—paid; 1 fined $6,—paid; 2 fined $10,—paid; 3 fined $20,—paid; 1 fined $12,—paid; 1 fined $8,—paid; 1 fined $50,—paid; 1 fined $100,—paid; 1 fined $10 or 15 days in jail,—went to jail; 2 complaint withdrawn, and 1 discharged.
Assault with intent to commit rape	1	Sent to State Prison 1 year.
Complaint to keep peace	1	Discharged.
Careless use of firearms	1	Discharged.
Drunkenness	13	Eleven fined $5 each,—paid; 1 sent to jail, and 1 sentence suspended.
Forgery	1	Discharged.
Larceny from a dwelling	1	*Nolle prosequi.*
Larceny	11	One fined $4; 2 sent to House of Correction for 3 months; 1 sent to Reform School; 2 discharged on trial; 1 escaped, and 3 *nol. pros.* entered; 1 sent to State Prison 2 years.
False pretenses	1	Discharged.
Disorderly persons	4	One sentence suspended; 1 sent to jail; 1 discharged, and one furnished bonds.
Prosecutions of liquor law	4	One fined $50; 2 fined $25 each; and 1 discharged after disagreement of jury.
Murder	1	Discharged.
Incest	1	Discharged.

MONROE COUNTY.

JOSEPH D. RONAN, *Prosecuting Attorney.*

Number of persons prosecuted, 117.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	76	Forty-five convicted; 5 sentenced House of Correction 90 days; 1 fined $10 and costs; 8 fined $5 and costs; 25 fined $1 and costs; 6 sentence suspended; 10 acquitted; 21 withdrawn and settled by payment of costs.
Assault with intent to kill	1	Pleaded guilty of assault and battery, sentenced to House of Correction 1 year and fine of $200.
Adultery	2	Pending.
Bastardy	1	Bonds given for support.
Disturbance of religious meeting	4	Withdrawn and settled by payment of costs.
Disorderly	3	Convicted and sentenced House of Correction 90 days.
False pretenses	2	Pending.
Forgery	1	Convicted, sentenced State Prison 1 year.
Larceny, grand	5	Four convicted; 1 sentenced to State Prison 1 year: 2 sentenced to State Prison 2½ years; 1 *nol. prosequied.*
Larceny, petit	8	Three convicted; 2 sentenced to House of Correction 90 days; 1 sentenced to State Reform School; 4 pending; 1 acquitted.
Malicious trespass	1	Pending.
Murder	1	Pending.
Seduction	1	Pending.
Surety of peace	2	Convicted, bonds given.
Threatening communications	1	*Nol. prosequied.*
Violation of Sabbath	1	Convicted, fined $5 and costs.
Violation of liquor law	9	One convicted; 1 acquitted; 7 withdrawn and costs paid.

MISSAUKEE COUNTY.

ARLINGTON C. LEWIS, *Prosecuting Attorney.*

Number of persons prosecuted, 1.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Maliciously setting fires	1	Acquitted.

MONTCALM COUNTY.

ALBERT P. THOMAS, *Prosecuting Attorney.*

Number of persons prosecuted, 117.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	21	Six convicted and fined $5 each; 2 convicted and fined $2 each; 2 convicted and fined $15 each; 3 convicted and fined $20 each; 5 convicted and fined $3 each; 2 convicted and fined $4 each, and 2 discharged.
Assault with intent to murder	1	Not tried; still pending in Circuit Court.
Assault with intent to commit rape	4	One escaped from jail; 1 discharged on examination; 1 forfeited recognizance to appear before justice for further examination; 1 discharged on account of absconding of complaining witness.
Assault with intent to rob	2	One discharged on examination; 1 escaped before arrest and not found.
Drunkenness; violation of Sec. 3 of an act entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors"	2	One sent to jail 20 days; 1 fined $5.
Disturbing public school	1	Convicted and gave bonds for good behavior.
Disorderly persons	3	Convicted and gave bonds.
Fraudulently disposing of chattel mortgaged property	3	One discharged; 1 pending in Circuit Court, and 1 escaped.
False pretenses	6	Four discharged on examination; 1 not examined; 1 bound over to Circuit Court, and still pending.
Petit larceny	16	One convicted and fined $10; 5 convicted and fined $5; 4 discharged; 3 fined $2 each; sentence suspended on 3.
Grand larceny	7	One convicted and sentenced to State Prison 1 year and 6 months; 1 now in jail; 2 cases *nolle pros.*; 2 discharged on examination; 1 bound over and escaped jail.
Violation of prohibitory liquor law	6	One discontinued by Prosecuting Attorney; 1 discharged on habeas corpus; 2 discharged on account of absence of complaining witness; 1 convicted, fine not paid; 1 convicted and fine paid.
Malicious injury to dwelling-house	5	Two discharged on examination; 2 convicted and sent to jail by judge 10 days each; 1 bound over, but discharged on reasons being filed for not filing information.
Malicious injury to mill dam	5	All discharged on examination.
Perjury	1	Waived examination; case now pending in Circuit Court.
Rape	1	Convicted and sentenced to 6 years in State Prison.
Trespass upon pine lands	1	Case pending in Circuit Court.
Gambling	14	Eight convicted and fined $10 each; 6 discharged.
Riot	18	Three bound over to Circuit Court, cases still pending; 15 discharged.

MUSKEGON COUNTY.

FRANCIS SMITH, *Prosecuting Attorney.*

Number of persons prosecuted, 161.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	73	Two recognizance to keep the peace; 18 discharged by justice; 8 found not guilty and discharged; 2 settled and satisfaction entered; 7 sentence suspended by justice; 3 bail forfeited; 3 sentenced to 10 days in county jail; 1 sentenced to 30 days in county jail; 27 fined as follows: 1 fined $1 and costs; 2 fined $4 and costs each; 3 fined $3 and costs each; 8 fined $5 and costs each; 4 fined $1 and costs each; 4 fined $2 and costs each; 1 fined $10 and costs; 1 fined $15 and costs; 1 fined $30 and costs; 1 fined 1 cent; 1 fined 6 cents.
Assault	2	One sentence suspended by justice; 1 imprisoned 60 days in county jail.
Arson	1	Tried in Circuit Court, not guilty.
Adultery	2	Tried, not guilty.
Assault with intent to murder	1	Held for trial, in asylum for insane at Kalamazoo.
Assault with intent to rape	2	One held for trial; 1 held for trial and escaped.
Assault with intent to maim	1	Discharged on examination.
Burglary	1	Discharged on examination.
Disorderly persons	20	Two sentence suspended; 3 discharged; 2 sentenced to House of Correction 1 year each; 3 sentenced to House of Correction 6 months each; 1 sentenced to House of Correction 3 months; 1 sentenced to House of Correction 9 months; 1 sentenced to House of Correction 4 months; 6 recognizance for good behavior; 1 *nolle pros.*
Disturbing religious meeting	2	One fined $10; 1 not guilty.
Debt (dog license law)	1	Judgment $10; owner of dog worthless and left the country. This law is very imperfect.
Larceny, petit	26	One sentenced to 30 days in jail; 1 sentenced to 5 days in jail; 1 sentenced to 10 days in jail; 1 sentenced to 20 days in jail; 1 fined $2 and costs; 7 sentence suspended by justice on promise of amendment; 11 discharged; 3 sentenced to Reform School till each 21 years of age.
Larceny, grand	12	One held for trial,—not yet tried; 1 sentenced 1 year in State Prison, Jackson; 1 sentenced 5 years in State Prison, Jackson; 1 sentenced 2 years in State Prison, Jackson; 1 sentenced 2½ years in State Prison, Jackson; 1 sentenced 6 months in State Prison, Jackson; 1 sentenced 1½ years, broke jail and fled; 1 sentenced 2 years in State Prison, broke jail and fled; 1 tried, not guilty; 1 discharged on examination; 2 *nolle prosequied.*
Larceny at fire	3	Two held for trial, broke jail and escaped; 1 held for trial, not yet tried.
Larceny from person	4	One tried and sentenced 2½ years in State Prison at Jackson, broke jail and escaped; 1 *nolle prosequied*; 2 discharged on examination.
Malicious trespass	4	Two discharged on examination; 2 held for trial, not yet tried.
Seduction	1	Parties married.
Selling intoxicating liquor	5	One fined $25 and costs; 1 judgment $25 and costs, execution issued, culprit fled; 1 dismissed; 2 judgment $25 each and costs, paid.
Selling liquor to minor	1	Fined $20 and costs, paid.
Rape	1	Held for trial, *nolle prosequied.*
Peddling without license	1	Discharged.

NEWAYGO COUNTY.

ALBERT G. DAY, *Prosecuting Attorney.*

Number of persons prosecuted, 53.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Adultery	1	*Nolle. pros.*
Assault	1	Ninety days in Detroit House of Correction.
Assault and battery	22	One convicted and sent 90 days to Detroit House of Correction; 2 fined $10 and costs; 2 fined $15 or 20 days in jail; 1 fined $20 or 30 days in jail; 2 fined $1 and costs each; 1 fined $8 and costs; 4 acquitted; 8 settled and suit withdrawn; 1 run away during trial.
Assault with intent to murder	2	Acquitted.
Burglary	1	Acquitted.
Petit larceny	8	Two fined $100 or 90 days in Detroit House of Correction; 1 sent 90 days in Detroit House of Correction; 3 discontinued; 2 acquitted.
False pretenses	1	Acquitted.
Grand larceny	2	Convicted, but broke jail before sentence.
Murder	2	One convicted and sentenced for life; 1 acquitted.
Common prostitutes	2	One sent to Detroit House of Correction for 1 year; 1 sent to Detroit House of Correction for 3 years.
Rape	1	*Nolle pros.*
School meeting, disturbance of	1	Fined $10 and costs.
Violation of liquor law	9	Five fined $25 and costs; 2 discontinued; 1 acquitted; 1 fined $50 and costs.

OAKLAND COUNTY.

CHARLES DRAPER, *Prosecuting Attorney.*

Number of persons prosecuted, 250.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	43	One fined $20; 1 guilty, not sentenced, fined; 2 fined $15 each; 2 fined $10 each; 1 fined $8; 6 fined $5 each; 4 fined $3; 1 fined $250; 4 fined $2 each; 1 fined $1 50; 3 sent to Detroit House of Correction for 60 days each; 1 sent for 45 days; 8 were acquitted; 5 *nol. pros.*; 8 sentence suspended.
Larceny, petit	29	One sent to Reform School until 21 years old; 2 sent to Detroit House of Correction 90 days each; 8 sent to Detroit House of Correction 60 days each; 1 sent to Detroit House of Correction 45 days; 1 sent to Detroit House of Correction 65 days; 1 sent to county jail 20 days; 2 sent to county jail 25 days each; 1 sent to county jail 10 days; 2 acquitted; 1 sentence suspended; 10 *nol. pros.*
Receiving stolen property	1	Examined and discharged.
Drunk and disorderly	97	Convicted and sentence suspended, 66; fined $5 each, 7; sent to Detroit House of Correction 60 days each, 2; sent to Detroit House of Correction 65 days each, 3; sent to Detroit House of Correction 90 days each, 3; sent to Detroit House of Correction 45 days, 1; sent to Detroit House of Correction 75 days, 1; sent to county jail 10 days each, 6; sent to county jail 8 days, 1; fined $8 each, 8; fined $10, 1; *nol. pros.* 8.
Complaints for threats	10	Convicted, 6; recognizance 1 year to keep the peace, 1; not guilty, 3; committed for 1 year, 1.
Bastardy	5	Examination *nol. pros.*, 3; not arrested, 1; not disposed of, 1.

OAKLAND COUNTY.—CONTINUED.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Prostitution	8	Two sent to Detroit House of Correction 90 days each; 1 sent to Detroit House of Correction 1 year.
Indecent exposure of person	1	Examined and *nol. prosequied.*
Forgery	1	Examination and *nol. prosequied.*
Indecent language	2	Examined and discharged.
Seduction	1	Examined and discharged.
Obtaining property by false pretenses	2	Examined and discharged.
Disturbing religious meeting	3	Sentence suspended in 2 cases; 1 fined $13.
Malicious trespass	5	One sent to Reform School until 21 years old; 4 examined and discharged.
Prosecutions for selling spirituous and intoxicating liquor	14	Three discontinued; 2 acquitted; 2 convicted and fined $25 and costs, and appealed to Circuit Court; 7 convicted and fined, and fine and costs paid.
Embezzlement	1	Examined and discharged on recognizance.
Removing land marks	1	Examined and discharged.

December 30, 1874, received communication from Attorney General to make report cover time until December 31, 1874, and pursuant thereto make the following supplement of cases in Justices' courts.

Larceny, petit	18	Acquitted, 5; discharged, 2; fined $25 each, 2; fined $15 each, 4; sent to Detroit House of Correction 90 days, 2; sent to Detroit House of Correction 6 months, 1; sent to Detroit House of Correction 65 days, 1; sent to county jail 30 days, 1.
Assault and battery	14	*Nolle pros.*, 4; acquitted, 3; 1 fined $3; 1 fined $15; 2 fined $5 each; 1 fined $3; 1 fined $10; 1 sent to Detroit House of Correction 6 months.

Abstract of business in the Circuit Court.

Grand larceny	29	Disposed of as follows: Sent to State Prison on conviction 5 years, 1; sent to State Prison on conviction 4 years, 3; sent to State Prison on conviction 3 years, 6; sent to State Prison on conviction 2 years, 3; acquitted on trial, 3; convicted and sentence suspended, 2; *nolle pros.*, 1; not tried and disposed of, 8; no information filed, 2; petit larceny, 1 fined $20.
Forgery	2	One convicted and sent to State Prison 1 year; 1 tried and acquitted.
Bribery	3	Not disposed of.
Escape from officer	1	Convicted, sentenced 60 days in Detroit House of Correction.
Burglary and larceny	4	Disposed of as follows: Tried and convicted, 2; 1 sentenced to State Prison 7 years; 1 sent to Reform School until 21 years old; 1 escaped; 1 not disposed of.
Assault with intent to murder	2	One tried and acquitted; 1 convicted of simple assault and battery; not sentenced.
Adultery	1	Tried and acquitted.
Perjury	1	Not disposed of.
False pretenses	3	One convicted, sentenced to State Prison 2 years; 2 *nolle pros.*
Selling diseased meat	1	Not disposed of.

OCEANA COUNTY.

ROBERT M. MONTGOMERY, *Prosecuting Attorney.*

Number of persons prosecuted, 27.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	8	Two acquitted; 2 convicted and fined $10 and costs each; 1 convicted and fined $1 and costs; 1 convicted and fined $5 and costs; 1 convicted and fined $20 and costs; 1 sentenced to 10 days in jail; 1 convicted and fined $3 and costs.
Assault with intent to kill	1	Committed to jail and discharged on *habeas corpus*.
Forgery	1	Bound over to await trial at next term.
Indecent exposure of person	1	Convicted and fined $50.
Grand larceny	2	One committed to jail to await trial; 1 discharged on examination.
Petit larceny	3	Convicted and sentenced to 60 days in jail each.
Stealing fruit in night time	4	Three acquitted, and 1 convicted and sentence suspended.
Selling spirituous liquors	7	Five convicted of first offense, judgment $25 and costs each; 2 acquitted.

ONTONAGON COUNTY.

GUSTAVUS H. BEARDSLEY, *Prosecuting Attorney.*

Number of persons prosecuted, 4.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Mayhem	1	Complaint changed to assault and battery and compromised with complaining witness by permission of the court.
Resisting an officer while engaged in the discharge of his duty	1	Respondent pleaded guilty and sentenced to pay a fine of $75 and costs of prosecution.
Robbery	2	Convicted; 1 sentenced for 7 years and 1 for 5 years.

OSCEOLA COUNTY.

C. O. TRUMBULL, *Prosecuting Attorney.*

Number of persons prosecuted, 23.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	5	Three convicted; 1 fined $25 and costs or 30 days in jail; 1 fined $10 and costs or 10 days in jail; 1 fined $5 and costs; 1 acquitted; 1 *nolle prosequi* entered.
Beastiality	1	Acquitted.
Burglary	1	Acquitted.
Disorderly conduct	2	Both convicted; 1 gave bonds for 1 year; 1 gave bonds for 6 months.
Embezzlement	1	Convicted, fined $75 and costs, or 90 days in jail.
Incest	1	Discharged on examination.
Resisting officer	3	*Nolle prosequi*.
Larceny	9	Three convicted; sentence suspended on two; 1 sent to Reform School during minority; 3 acquitted; 2 *nolle prosequi* entered; 1 discharged on examination.

OTTAWA COUNTY.

STEPHEN L. LOWING, *Prosecuting Attorney.*

Number of persons prosecuted, 111.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault with intent to commit a rape	2	Discharged.
Assault with intent to murder	4	One broke jail and escaped; 2 discharged on examination; 1 acquitted on trial.
Assault and battery	37	Nine acquitted; 8 sent to county jail 30 days; 2 sent to county jail 10 days; 3 paid fine of $10; 1 paid fine of $9; 11 paid fine of $1 each; 3 paid fine of $2 each; 2 paid fine of $5 each; 1 paid fine of $25; 2 paid fine of $5 each; 2 paid fine of $3 and costs; 1 paid fine of $4 50 and costs; 1 paid fine of $1 and costs; 2 pending on appeal; 1 sent to House of Correction at Detroit 80 days; 1 sent to House of Correction at Detroit 6 months; 1 sent to House of Correction at Detroit 20 days.
Bastardy	1	Married and settled.
Burglary	3	Pending, 2; acquitted, 1.
Conspiracy to cheat and defraud	4	Sent to House of Correction 1; transferred to U. S. Court on charge of counterfeiting coin, 1; *nol. pros.*, 2.
Cruelty to animals	1	*Nol. pros.*
Counterfeiting coin	1	Transferred to U. S. Court.
Having in possession tools for counterfeiting coin	1	Transferred to U. S. Court.
Passing counterfeit coin	2	Transferred to U. S. Court.
Contempt of court	2	Five days in jail each.
Disorderly	8	Sent to House of Correction 6 months, 1; sent to House of Correction 3 months, 1; 2 gave bonds; *nol. pros.*, 4.
Embezzlement	2	One escaped; 1 acquitted on trial.
False pretenses	4	Discharged on the trial.
Forgery	2	Pending trial in Circuit, 1; acquitted, 1.
Intoxication	1	Sent to jail for 20 days.
Larceny, grand	10	Sent to Jackson State Prison 3 years each, 3; sent to Jackson State Prison 2 years 1; sent to Jackson State Prison 6 months, 1; pending, 1; paid $500 fine, 1; acquitted, 2; sent to House of Correction 80 days, 1.
Malicious mischief	3	Ten days in county jail, 1; acquitted on trial, 1; *nol. pros.*, 1.
Seduction	1	Married and settled.
Riotous assault and battery	9	Three paid a fine of $50 each; 6 paid a fine of $75.
Rape	1	Sent to Jackson 8 years.
Robbing from the person	1	Discharged.
Resisting an officer	1	*Nol. pros.*
Violation of liquor law	7	Fined and paid $25 and costs each, 3; acquitted, 2; *nol. pros.*, 2.
Malicious injury to personal property	3	One fined and paid $20; *nol. pros.*, 1; acquitted, 1.

SAGINAW COUNTY.

WM. GILLETT, *Prosecuting Attorney.*

Number of persons prosecuted, 702.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Abduction	1	Acquitted.
Abortion	3	One discharged; 2 pending.
Adultery	2	One discharged; 1 *nolle prosequi*.
Arson	6	Four pending; 2 acquitted.
Assault	4	Two fined 6 cents; 1 fined $3; 1 fined $6.
Assault with intent to murder	4	One *nolle prosequi*; 1 acquitted; 2 pending;
Assault with intent to ravish	2	One pending; 1 discharged.
Assault and battery	340	Seventy-eight discharged and acquitted; 14 settled; 1 fined $75; 19 fined 6 cents; 1 fined 12 cents; 1 fined 10 cents; 1 fined 50 cents; 1 fined $28; 21 fined $1; 10 fined $2; 12 fined $3; 3 fined $4; 48 fined $5; 4 fined $6; 1 fined $7; 8 fined $8; 25 fined $10; 3 fined $12; 6 fined $15; 6 fined $20; 5 fined $25; 3 fined $30; 8 fined $50; 1 fined $100; 6 sentenced to House of Correction 3 months; 1 sentenced to House of Correction 1 month; 19 suspended sentence; 1 sentenced to county jail 10 days; 2 sentenced to county jail 12 days; 8 sentenced to county jail $15 days; 1 sentenced to county jail 25 days; 5 sentenced to county jail 30 days; 2 sentenced to county jail 35 days; 1 sentenced to county jail 45 days; 6 sentenced to county jail 60 days; 1 sentenced to county jail 65 days; 6 sentenced to county jail 20 days; 1 pending; 6 recognizance forfeited; 1 *certiorari* and judgment below affirmed; 1 jury disagreed and *nolle prosequi* entered.
Attempt to commit larceny from person	2	One acquitted; 1 sentenced 2½ years in State Prison.
Attempt to rob	1	Pending.
Attempt to murder by poisoning	2	One acquitted; 1 jury disagreed.
Bastardy	6	One discharged; 3 pending; 1 settled; 1 sentenced to pay $12 per month until further order of court.
Burglary	7	Three sentenced to State Prison 5 years; 1 sentenced to State Prison 3½ years; 2 acquitted; 1 not tried, defendant having been convicted and sentenced to State Prison on a separate charge.
Burning dwelling with intent to injure insurers	1	Recognizance forfeited.
Burning goods, wares, etc., with intent to injure insurers	4	Two sentenced to State Prison 7 years; 2 sentence suspended.
Common prostitutes	5	One sentence suspended; 8 discharged; 1 recognized for good behavior.
Conspiracy to defraud	2	Discharged.
Cruelty to animals	4	Two settled; 1 sentence suspended; 1 pending.
Disorderly	58	Eleven discharged; 11 sentence suspended; 6 sentenced to House of Correction 6 months; 2 sentenced to House of Correction 4 months; 10 sentenced to House of Correction 3 months; 16 gave recognizance for good behavior; 1 sentenced to county jail 30 days; 1 settled.
Disturbing district school	8	One fined $5; 1 fined $3; 1 discharged.
Drunkenness	7	Three discharged; 1 sentence suspended; 1 sentenced to House of Correction 9 months; 1 sentenced to House of Correction 4 months; 1 sentenced to House of Correction 6 months.
Embezzlement	8	One pending; 1 *nolle pros.*; 1 sentenced to House of Correction 60 days.
False pretenses	6	One *nolle pros.*; 2 pending; 2 sentenced to State Prison 1 year; 1 sentenced to State Prison 2 years.
False imprisonment	1	Discharged.
Forgery	8	Two sentence suspended; 1 sentenced to State Prison 6 months.
Gaming	8	Recognized for good behavior.
Ill fame, keeping house of	6	Five discharged; 1 sentenced to House of Correction 3 months.
Indecent exposure of person	1	Pending.

SAGINAW COUNTY — CONTINUED.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Laboring first day of week	1	Fined 6 cents.
Larceny	141	One fined $25; 1 fined $15; 1 fined $3; 1 fined $2.50 1 fined $10; 4 fined $20; 2 fined $5; 63 discharged and acquitted; 17 sent to House of Correction 90 days; 7 sent to Reform School; 1 sent to jail 10 days; 2 sent to county jail 15 days; 4 sent to county jail 20 days; 5 sent to county jail 30 days; 3 sent to county jail 60 days; 1 90 days; 1 settled; 9 *nolle pros.*; 2 recognizance forfeited; 3 pending; 2 suspended sentence; 2 sent to State Prison 1 year; 1 sent to State Prison 2¼ years; 3 sent to State Prison 3 years; 1 sent to State Prison 4 years; 3 tried and found guilty,—not yet sentenced.
Larceny from person	16	One *nolle pros.*; 2 recognizance forfeited; 1 sentence suspended; 2 acquitted; 3 pending; 3 sent to State Prison 2½ years; 1 sent to State Prison 5 years; 2 sent to State Prison 3 years; 1 sent to State Prison 6 months.
Larceny from dwelling house in day time	1	Acquitted.
Larceny from store	1	Acquitted.
Lewd and lascivious cohabitation	4	Two discharged; 2 pending.
Maiming	3	Acquitted.
Murder	5	One acquitted; 1 pending; 2 found guilty of murder in second degree, 1 of whom was sentenced to State Prison 15 years, and 1 sentenced to State Prison 18 years; 1 convicted of manslaughter and fined $300 or 1 year in State Prison.
Perjury	5	One pending; 2 recognizance forfeited; 1 discharged; 1 *nolle pros.*
Refusing to perform duties of office as Supervisor	1	Discharged.
Resisting an officer	4	One *nolle. pros.*; 1 sent to House of Correction 90 days; 1 pending; 1 committed for trial and released on *habeas corpus*.
Robbery	4	One *nolle pros.*; 1 acquitted; 2 recognizance forfeited.
Threats	7	Two recognized to keep peace; 3 discharged; 1 pending; 1 sent to county jail 60 days in default of recognizance.
Trespass	16	One sentence suspended; 3 fined $1 each; 3 fined $5; 1 sent to county jail 15 days; 1 sent to county 25 days; 4 pending; 3 discharged.
Vagrancy	9	Three sentence suspended; 5 discharged; 1 sent to House of Correction 90 days.
Violation of liquor law	1	Fined $25.

SANILAC COUNTY.

WATSON BEACH, *Prosecuting Attorney.*

Number of persons prosecuted, 36.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	6	One convicted and fined $10 and costs; 1 fined $5 and costs; 1 acquitted; 3 pending.
Adultery	4	One complaining witness refused to further prosecute; 1 pending; 2 forfeited recognizance,—$100.
Assault with intent to commit murder	4	*Nolle pros.*
Arson	1	*Nolle pros.*
Forgery	1	Pending.
Larceny	4	One recognizance of $100 forfeited; 1 escaped jail; 1 acquitted; 1 discharged.
Malicious injuring to personal property	4	Acquitted, 3; jury disagreed and discharged 1.
Perjury	1	Recognizance forfeited.
Rape	1	Broke jail.
Selling liquor to minors	2	One convicted and fined $20 and costs; 1 convicted and fined $20 and costs, appeal, pending.
Selling intoxicating liquors	7	One convicted, fined $25 and costs, appeal, pending; 3 convictions, fined $25 each and costs; 1 acquitted; 2 pending.
Sureties of the peace	1	One hundred dollars bail.

SHIAWASSEE COUNTY.

S. TITUS PARSONS, *Prosecuting Attorney.*

Number of persons prosecuted, 180.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	32	Six settled and costs paid; 5 fined $5 and costs; 7 fined $10 and costs; 4 fined $15 and costs; 8 fined costs; 2 fined $12; 1 fined $30 or 60 days in jail; 1 fined $20 or 30 days in jail; 3 acquitted.
Arson	1	Examined, information filed, broke jail, and escaped.
Assault with intent to kill and murder	6	One convicted of assault and battery and fined $50; 1 convicted of assault and battery and sent to House of Correction 6 months; 1 convicted of assault and battery and committed to county jail 6 days; 3 acquitted.
Assault with intent to commit rape	1	Convicted of assault and battery and sentenced to House of Correction 8 months.
Burglary	5	One convicted and sent to House of Correction 8 months; 1 convicted and sentence suspended; 1 sent to Reform School; 2 acquitted.
Drunk and intoxicated	10	Seven fined $5 and costs; 2 acquitted; 1 *nol. pros.*
Embezzlement	1	Discharged.
False pretenses	8	Three now pending, one of which has been once tried and jury disagreed; 2 *nol. pros.*; 3 acquitted.
Grand larceny	16	Two sent to State Prison for four years; 2 sent to State Prison for 2 years; 1 for 2 years; 1 for 1 year; 2 sentence suspended; 3 pending; 4 acquitted; 1 convicted and sent to House of Correction 7 months.
Disorderly persons	3	Two convicted and sent to House of Correction for 6 months; 1 acquitted.
Keeping house of ill-fame	2	Acquitted.
Malicious injury to dwelling-house	2	Acquitted.
Petit larceny	10	One convicted and sent to Reform School; 1 convicted and fined $18.69; 1 convicted and fined $16.62; 2 sent to county jail 20 days; 2 fined $5 and costs; 3 acquitted.
Rape	1	Discharged on examination.
Resisting officer	5	Three acquitted; 2 *nol. pros.*
Selling liquor	33	Two convicted as common sellers and fined $50 each; 9 convicted and fined $25 each; 5 acquitted; 15 settled and costs paid; 2 *nol. pros.*
Selling liquor to minors	2	Acquitted.

SCHOOLCRAFT COUNTY.

M. H. MAYNARD, *Prosecuting Attorney.*

Number of persons prosecuted, 122.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	15	Eleven convicted.
Assault with intent to kill	2	Convicted.
Attempt to commit rape	2	Convicted.
Drunk and disorderly	85	Seventy convicted.
Larceny	10	Seven convicted.
Violation of liquor law	10	Five convicted.

ST. CLAIR COUNTY.

WM. GRACE, *Prosecuting Attorney.*

Number of persons prosecuted, 89.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	40	Thirty convicted and fined from $1 to $25; 10 acquitted.
Assault with intent to murder	1	*Nol. pros.* entered.
Bastardy	3	Two settled by securing assistance for support of child; 1 pending.
Embezzlement	1	*Nol. pros.* entered.
False pretenses	2	One bail forfeited; 1 acquitted.
Fraudulent conveyance of property	1	*Nol. pros.* entered.
Grand larceny	7	One sent to State Prison 2½ years; 1 sent to State Prison 1 year; 1 sent to State Prison 6 months; 1 sent to jail 60 days; 1 sent to jail 30 days; 2 escaped from jail.
Petit larceny	20	Fifteen convicted and fined from $1 to $50 or sent to jail; 5 acquitted.
Illegal voting	2	One convicted and sentence suspended; 1 pending.
Indecent exposure	1	Pending.
Murder	1	Convicted of manslaughter and sent to State Prison 10 years.
Polygamy	1	Sent to State Prison 1 year.
Receiving stolen property	1	Pending.
Resisting an officer	1	*Nol. pros.* entered.
Refusing to pay over money by attorney	1	Defendant died before trial had.
Seduction	1	Settled by marriage.
Selling spirituous liquors	5	Four fined $25 each; 1 *nol. pros.* entered.

ST. JOSEPH COUNTY.

RUSSEL R. PEALER, *Prosecuting Attorney.*

Number of persons prosecuted, 92.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Adultery	2	One discharged on examination on account of non-appearance of complaining witness: 1 *nol. pros.* before information filed.
Assault and battery	14	Two convicted and fined $15 each or 20 days in the county jail; 2 convicted and fined $10 each; 2 convicted and fined $5 each; 1 convicted and sentenced to 40 days in county jail; 1 acquitted; 5 settled; 1 convicted and sentenced to Reform School.
Assault with intent to kill	1	Indicted, pending.
Assault with intent to commit rape	1	Run away; recognizance to appear for examination forfeited.
Bastardy	1	Pending.
Bribery	1	Pending for examination.
Burglary	3	Pending.
Embezzlement	2	One convicted and fined $50; 1 *nol. pros.*
False pretenses	1	Pending.
Forgery	1	Pending.
Keeping common gaming house	2	One convicted, sentence suspended; 1 *nol. pros.*
Keeping gaming table	1	One convicted and fined $10.
Larceny	12	Three convicted and sent to State Prison 1 year each; 1 convicted and fined $10; 2 convicted and sentenced to Detroit House of Correction for 6 months; 2 acquitted; 3 discharged on examination; 1 pending.
Larceny at fire	3	One acquitted; 2 *nol. pros.*
Larceny from the person	1	One convicted and sentenced to State Prison 2 years.
Violation of prohibitory liquor law	46	Twelve convicted for second offense and fined $20 each; 20 convicted for first offense and fined $25 each; 1 convicted and fined $20 for selling liquor minors; 1 acquitted; 1 jury disagreed; 1 discharged for insufficiency of complaint; 2 appealed; 3 discharged without cause; 2 ran away; 2 cases went down by reason of irregular transfers; 1 discharged for want of security for costs.

TUSCOLA COUNTY.

H. P. ATWOOD, *Prosecuting Attorney.*

Number of persons prosecuted, 38.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Abduction	1	Still pending.
Assault and battery	21	Eight convicted and fined $5 each; 2 fined $28 each; 1 fined $25; 1 fined $6; 1 fined $7; 1 fined $1; 1 sent to jail 10 days; 1 convicted, sentence suspended.
Resisting an officer	1	Still pending.
Injuring a building	2	Discharged.
Larceny	5	One convicted and sentence suspended; 2 sent to jail 60 days each; two acquitted.
Murder	2	One convicted of murder in the second degree and sent to prison 10 years; 1, a woman, convicted of manslaughter and sent to the Detroit House of Correction 8 years.
Robbery	1	Prisoner escaped from Flint jail.

VAN BUREN COUNTY.

BENJAMIN F. HECKERT, *Prosecuting Attorney.*

Number of persons prosecuted, 80.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Manslaughter	3	One sentenced to State Prison for 12 years; 1 sentenced to State Prison for 5 years, and 1 sentenced to State Prison for 4 years.
Forgery	1	Sentenced to 1 year in county jail.
Larceny	11	Nine convicted and 2 acquitted. Cannot give punishment, as convictions were procured by D. E. Comstock, former Prosecuting Attorney.
Cruelty to animals	2	One convicted and 1 acquitted.
Assault with intent to rob	3	One convicted and 2 acquitted.
Assault with intent to kill	2	Convicted of assault and battery.
Mayhem	1	Convicted of assault and battery.
Embezzlement	1	*Nol. pros.*
Bonds to keep the peace	2	Both discharged.
Polygamy	1	Sentenced to 4 years and 6 months in State Prison.
Disturbing meeting	8	One fined $5; 1 fined $10; 1 sentence suspended; 5 discharged.
Bastardy	2	One settled; 1 gave bonds.
Assault with intent to ravish	2	One discharged, and 1 convicted of assault and battery.
Debt under liquor law	6	All convicted.
Seduction	1	Settled by marriage.
False pretenses	1	Dismissed.
Malicious injury to building	7	All acquitted.
Burglary	1	*Nol. pros.*
Malicious injury to shade trees	2	Convicted.
Assault and battery	17	Sixteen convicted and 1 acquitted; 3 fined $5 each; 3 fined $10 each or 30 days in jail.
Adultery	3	One sentenced 1 year in State Prison; 1 sentenced 1½ years in State Prison, and 1 sentenced 1 year in House of Correction.
Conspiracy	2	One sentenced 1½ years in House of Correction; the other sentenced 6 months in House of Correction.

WASHTENAW COUNTY.

EDWARD P. ALLEN, *Prosecuting Attorney.*

Number of persons prosecuted, 89.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery	9	One convicted and sntenced 65 days in House of Correction; balance settled on payment of costs and fines imposed in lower court.
Assault with intent to kill	2	One acquitted; 1 *nol. pros.* entered.
Burglary and larceny	3	One acquitted; 2 convicted and sentenced 2½ and 3 years in House of Correction.
Embezzlement	1	Acquitted.
Forgery	2	One acquitted; 1 convicted and sent to Jackson 2 years.
Larceny	3	One acquitted; 1 sent to State Prison 1 year; 1 sentence suspended.
Larceny from person	1	Convicted and sent to State Prison 2 years.
Larceny from dwelling in day time		
Manslaughter	1	Convicted and sent to House of Correction 18 months.
Murder	8	One acquitted; 7 convicted; 6 fined, and 1 sent to State Prison 1 year.
Rape	1	Convicted, new trial granted.
Violation of liquor law	8	Four convicted and fined $25 each; 2 acquitted, and 2 *nolle prosequi* entered.

WAYNE COUNTY.

FITZWILLIAM H. CHAMBERS, *Prosecuting Attorney.*

Number of persons prosecuted, 197.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Murder	6	One convicted of manslaughter and sent to State Prison, Jackson, 10 years; 1 not guilty by reason of insanity; 3 acquitted; 1 *nol. pros.*
Assault with intent to commit crime of murder	15	Three convicted of common assault; 1 fined $75; 1 sent to House of Correction 1 year; 1 sent to House of Correction 8 months; 6 acquitted; 4 *nol. pros.* entered; 2 convicted of assault and sentence suspended.
Robbery	6	Two convicted; 1 sentenced 3 years in State Prison; 1 sentenced 3 years in State Prison; 2 still pending; 2 convicted, each sentenced 5 years in State Prison.
Assault with intent to ravish	2	One acquitted; 1 pending.
Arson	1	Convicted, sent to State Prison 5 years.
Burglary and larceny	14	Six convicted; 1 sent to State Prison 5 years; 1 sent to State Prison 5 years; 1 sent to State Prison 5 years; 1 sent to State Prison 10 years; 2 sentence suspended; 3 pending; 1 jury disagreed, case *nol. pros.*; 2 acquitted; 2 convicted; 1 sent to Reform School; 1 sent to State Prison.
Breaking and entering store in the night time with intent to steal	13	Ten convicted; two sent to State Prison 6 years each; 1 sent to State Prison 3 years; 2 sent to State Prison 2 years each; 4 sent to State Prison 4 years each; 1 sent to House of Correction 1 year; 1 acquitted; 2 *nol. pros.* entered.
Breaking and entering dwelling-house in day time with intent to commit larceny	2	One sent to State Prison 4 years; 1 sent to State Prison 5 years.
Larceny from dwelling house in day time	7	Three convicted; 2 sent to House of Correction 1 year each; 1 sentence suspended; 1 jury disagreed and case *nol. pros.*; 2 acquitted; 1 sent to State Prison 5 years.
Larceny from a store in the day time	17	Twelve convicted; 1 sent to House of Correction 1 year; 1 sent to House of Correction 1 year; 1 sentenced 2 years in State Prison; 3 sentence suspended; 2 sent to State Prison 4 years each; 1 sent to House of Correction 3 months; 2 sent to House of Correction 1 year each; 1 sent to State Prison 5 years; 3 acquitted; 2 *nol. pros.* entered.
Circulating note of non-existing bank	1	*Nol. pros.* entered.
Larceny from a shop in the day time	2	One sent to State Prison 3 years; 1 discharged.
Grand larceny	54	Thirty-eight convicted; 13 acquitted; 10 *nol. pros.*; 1 new trial; 2 pending; 1 sent to State Prison 2 years; 1 sentence suspended; 1 sent to House of Correction 1 year; 1 sentence suspended; 1 sent to State Prison 3 years; 1 sent to State Prison 3 years; 1 sent to State Prison 3 years; 1 sent to House of Correction 3 months; 1 sent to House of Correction 3 months; 1 sent to State Prison 4 years; 1 sent to State Prison 3 years and 6 months; 1 sent to State Prison 5 years; 1 sent to State Prison 1 year; 1 sent to House of Correction 1 year; 1 sent to State Prison 5 years; 1 sent to State Prison 2 years; 1 sent to House of Correction 1 year; 1 sentence suspended; 1 sentenced 3 years in State Prison; 1 sentence suspended; 1 sent to Reform School; 1 sent to State Prison 4 years; 1 sent to House of Correction 2 months; 1 sent to House of Correction 1 year; 1 sent to House of Correction 6 months; 1 sentence suspended; 1 sent to State Prison 3 years; 1 sentence suspended; 1 sentence suspended; 1 sent to State Prison 3 years; 1 sentence suspended; 1 sent to House of Correction 4 years; 1 sent to House of Correction 2 years; 1 sent to State Prison 4 years; 1 jury disagreed and defendant

WAYNE COUNTY—CONTINUED.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Grand larceny—Continued		discharged; 1 new trial granted; 1 sent to House of Correction 1 year; 1 sent to House of Correction 6 months; 1 not sentenced; 1 case pending; 1 released on his own recognizance; 1 pending; 10 *nol. pros.* entered; 13 acquitted; 1 convicted and sent to State Prison 4 years; 2 convicted; 1 sent to State Prison 2 years; 1 sent to State Prison 8 years; 1 convicted and sent to State Prison 2 years and 6 months.
Receiving stolen property, knowing it to be stolen, etc.	4	Three acquitted; 1 *nol. pros.*; 1 acquitted.
Embezzlement	7	Two convicted; 1 sent to House of Correction 1 year; 1 sentence suspended; 1 acquitted; 1 sentence suspended; 3 *nol. pros.*
Obtaining goods under false pretenses	6	One convicted and sent to House of Correction 1 year; 1 acquitted; 2 pending; 2 *nol. pros.*
Perjury	1	Case pending.
Forgery	6	One convicted and sent to State Prison 4 years; 2 *nol. pros.*; 2 acquitted; 1 pending.
Polygamy	2	One pending; 1 *nol. pros.*; 1 sent to State Prison 2 years
Indecent exposure	1	*Nolle pros.*
Incest	1	*Nolle pros.*
Rioting	1	*Nolle pros.*
Cruelty to animals	1	Convicted, sent to House of Correction 3 months.
Larceny from the person	9	Three convicted; 1 sent to State Prison 8 years; 1 sent to State Prison 2 years; 1 sent to State Prison 8 years; 4 *nol. pros.*; 2 acquitted.
Lottery	1	Acquitted.
Malicious trespass	3	Discharged.
Breaking and entering boat with intent to steal	2	Acquitted.
Corporation neglecting to make report as required by law	8	Pleaded guilty, fined 6 cents.

WEXFORD COUNTY.

SILAS S. FALLASS, *Prosecuting Attorney.*

Number of persons prosecuted, 15.

CHARGED WITH	No.	THE RESULT AND THE PUNISHMENT.
Adultery	1	*Nol. pros.*
Assault and battery	8	Two convicted and fined $1 each and costs; 1 convicted and fined $2 and costs; 3 convicted and fined $5 each and costs; 1 convicted and fined $10 and costs; 1 discontinued.
False pretenses	1	Discharged on examination.
Grand larceny	1	Convicted and sentence suspended.
Malicious killing of animals	1	Bound over and pending in the Circuit Court.
Petit larceny	2	One convicted and fined $5 and costs or 20 days in jail; 1 convicted and fined $1 and costs.
Violation of prohibitory liquor law, first offense	1	Convicted and fined $25 and costs or 80 days in jail